This document is supplemented by agenda packet materials and electronic audio / video recordings of the meeting. These supplemental materials may be reviewed upon request to the City Recorder.

### City of Florence Planning Commission Meeting 250 Hwy 101, Florence, OR 97439 September 24, 2019

### CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE

Meeting called to order at 5:30 p.m.

Commissioners Present: Commissioner Brian Jagoe, Commissioner Andrew Miller, Commissioner Ron Miller, Commissioner Phil Tarvin Present: Chairperson John Murphey, Vice Chair Sandra Young, Commissioner Eric Hauptman,

Commissioners Absent: None

Staff Present: Planning Director Wendy FarleyCampbell and Admin. Assistant Vevie McPherren

### 1. APPROVAL OF THE AGENDA

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### 3. PUBLIC COMMENT

This is an opportunity for members of the audience to bring to the Council's attention any item not otherwise listed on the Agenda. Comments will be limited to three (3) minutes per person, with a maximum time of 15 minutes for all items. Speakers may not yield their time to others.

Start Time: 5:32 p.m.

Commenter: None

### 4. RESOLUTION PC 19 12 CUP 05 – First Step Second CUP

An application from Kathryn Lenox on behalf of First Step requesting approval of a temporary Conditional Use Permit to place three recreation vehicles on the Presbyterian Church property south of the sanctuary for the purpose of transitional housing. The proposal is for a two-year pilot project, after which the permit would expire. The site is located at 3996 Hwy 101, Assessor's Map no. 18-12-14-33, Tax Lot 00400, in the Highway Zoning District regulated by FCC Title 10, Chapter 16.

Open:	5:34 p.m.
Closed	6:02 p.m.
Applicant:	Kathryn Lenox
Discussion:	As Follows

No Commissioner declared a conflict of interest, ex parte contact, or bias. There were no challenges.

PD Farley-Campbell delivered a staff presentation on the proposed temporary conditional use permit for the placement of three recreation vehicles on the Presbyterian Church property. The presentation included referral comments from SVFR Fire Safety Captain, Tony Miller, that was delivered on the Dais. (see attachments)

Commissioner Brian Jagoe questioned if the applicant had received certificate of occupancy for the RVs, and PD FarleyCampbell stated that recreational vehicles were not regulated by building code.

Applicant Testimony: Ms. Kathryn Lenox presented the First Step challenges, revisions, policies, focus, support, and mission. Pastor-First Step Board President Greg Wood addressed and responded to the complaint testimony of noise and possible theft and detailed the progress regarding the ODOT application for indenture of access.

Chairperson Murphey questioned the applicants if they had extended city utility services and Ms. Lenox replied they had not. Chairperson Murphey then asked why they had not fulfilled the conditions of approval prior to allowing tenants in the RVs, and Mr. Wood stated he had been told by the Community Development department that holding tanks would be sufficient because they were recreational vehicles. He continued and said that they had the systems pumped out by Royal Flush. Chairperson Murphey reiterated that was not what was approved.

The applicants said they had read the staff report and understood the conditions as stated. There was no public testimony. Staff recommended approval of the application with the conditions modified. The modifications included the correction of the file number from PC 18 23 CUP 04 to PC 19 12 CUP 05, the addition of Condition #7 regarding all conditions of approval from PC 18 23 CUP 04 still be met, and the recommendation of Condition #8 regarding SVFR referral to state, "Emergency ingress and egress shall be graveled and shall be widened to meet the Siuslaw Valley Fire & Rescue driveway standards of 16 feet wide by 6 inches of which 12 feet, 6 inches shall be graveled and include a height clearance of 13 feet, 6 inches." She concluded and indicated that there would be follow up regarding the miscommunication for occupancy of the RVs prior to complying with prior conditions of approval.

Commissioner Jagoe expressed sanitary concern about the above ground holding tanks and indicated he would like to see the requirement of city utilities in a reasonable time frame. PD FarleyCampbell explained the options the applicants would have at the end of the two-year temporary approval period that included the application for permeant placement or an extension of the temporary approval. Mr. Wood stated property north of town was a proposed permanent site and did not expect to come back for an extension. Chairperson Murphey concluded that if the applicant came back to apply for an extension or to apply for another location within the city limits, utilities would be required. Commissioner Jagoe added that the holding tanks should be screened and Vice Chairperson Young asked who was responsible for the maintenance of the holding tanks. There was brief Commission discussion and Commissioner Tarvin stated the company that services the tanks generally provides the maintenance.

Action: Approval of the application and conditions of approval as presented by staff with conditions of approval

Motion:	Commissioner Jagoe
Second:	Commissioner Ron Miller
Roll Call Vote:	Unanimous

### 5. <u>RESOLUTION PC 19 14 DR 03 – Yamaha Relocation DR</u>

An application from Roger Center on behalf of Ed and Debbie Costa of Florence Yamaha to request approval of site design and outdoor storage and display for the proposed relocation at 310 Highway 101. Currently the location is designated a "hardware store, with limited outdoor storage and display" and the applicant proposes a change of use to sporting goods, specializing in ATV sales. The property is located north of the Chamber of Commerce building, between 1<sup>st</sup> and 2<sup>nd</sup> streets, on the east side of Highway 101 at Map No. 18-12-34-11, Tax Lots 01200, 01300, 01400, 01500, 01700, and 01299 in the Mainstreet District regulated by FCC Title 10, Chapter 27.

Open:	6:12 p.m.
Closed	7:26 p.m.
Applicant:	Roger Center
Discussion:	As Follows

No Commissioner declared a conflict of interest, ex parte contact, or bias. Commissioner Hauptman indicated that he leases property from Mr. Costa. There were no challenges.

PD Farley-Campbell delivered a site design staff presentation on the proposed relocation of the Florence Yamaha. The presentation included opponent testimony that was delivered on the Dais. Staff recommended approval with the modification and revisions to the findings, conditions of approval, and additions/corrections as stated. (see attachments)

Commissioner Jagoe questioned the proposed hours of operation and there was brief discussion. Vice Chairperson Young expressed concerns about traffic with the Revision Florence project and expressed the desire for more information regarding traffic flow. PD FarleyCampbell explained the Revision Florence project site plan that was delivered on the Dais and there was additional discussion.

Applicant Testimony: Mr. Ed Costa explained the traffic flow improvement that was expected by the move to the proposed new location. Mr. Bob Carroll, Carrollton Designs explained the proposed site plan and the efforts to address possible issues of traffic flow, dust, and noise.

Commissioner Hauptman asked where customers would be test driving the ATVs and Mr. Costa stated the ATV would be loaded on to a trailer and taken to the sand dunes on the south jetty road. Commissioner Jagoe asked what the proposed hours of operation were and Mr. Costa replied the hours of 8:00 a.m. to 6:00 p.m. and added that the hours would not be extended. Vice Chairperson Young asked for clarification of the traffic flow and suggested directional signage. There was discussion of possible access and circulation issues. Commissioner Tarvin asked for clarification of commercial and delivery truck traffic and Mr. Costa explained the proposed traffic plan.

The applicants said they had read the staff report and understood the conditions as stated.

Proponents: John LaRocco, Riley Hayes, Ron Green, Gary Armstrong, Peggy Pearson, Jim Hoberg, and Sadie Ward Opponents: Shirley Stint and Meris Robison

Staff recommended approval of the application with the conditions stated and recommended amendments.

Action:Approval of the application and conditions of approval as presented by staff<br/>with conditions of approvalMotion:Commissioner Brian JagoeSecond:Commissioner Ron MillerRoll Call Vote:Unanimous

### 6. PLANNING COMMISSION REPORTS & DISCUSSION ITEMS

Discussion: None

### 7. PLANNING DIRECTOR REPORTS & DISCUSSION ITEMS

Discussion: None

### 8. PLANNINIG COMMISSION CALENDAR

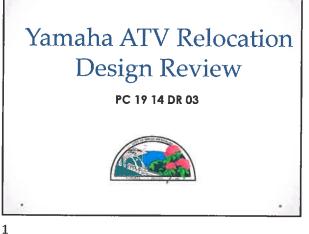
Discussion: Housing Code initiation on October 8<sup>th</sup> Coffee Kiosk & Car Wash October 22<sup>nd</sup> Pro Lumber Move, Oak Commons for final SUB & PUD, & CUP SFR in Multi-Zoning on November 12<sup>th</sup> CC/PC Joint Hearing on November 18<sup>th</sup> @ FEC

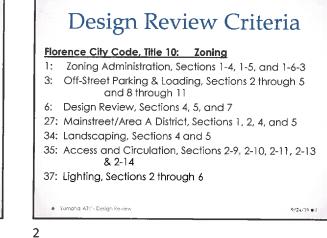
### Meeting adjourned at 7:35 p.m.

ATTEST:

John Murphey, Chairperson

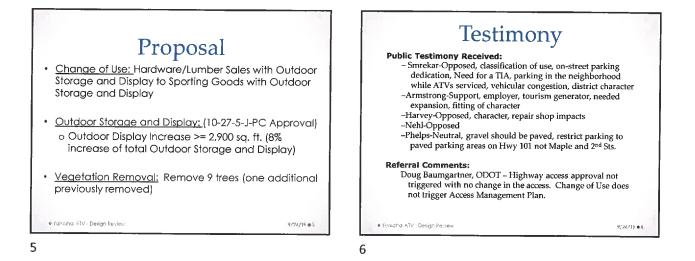
Vevie McPherren, Admin. Assistant

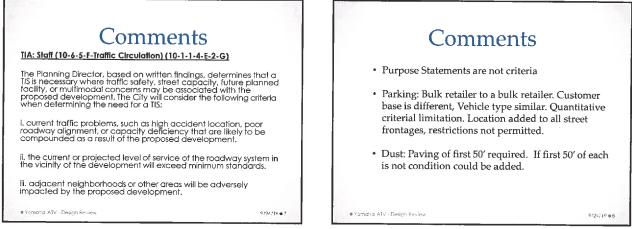




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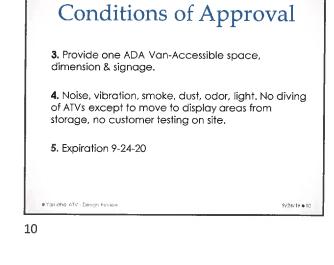
## Staff Recommendation

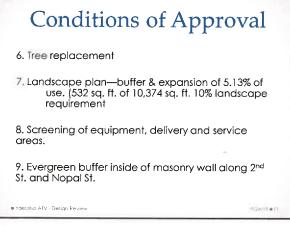
Staff finds that the proposed application meets the requirements of City Code with conditions, and recommends approval of the Design Review subject to conditions and revisions to the findings and conditions of approval as stated.

• Yamaha ATV - Design Review

7/24/19 #9

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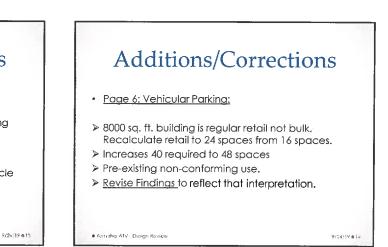
# Additions/Corrections

· Page 10: Bicycle parking-

- 5.13% increase in use. Requires 2 bicycle parking spaces.
- Add condition: "The applicant shall, provide a parking plan, outlining bicycle parking details meeting the requirements of FCC 10-3-10. Bicycle parking shall be provided prior to issuance of Certificate of Occupancy."

●Yamaha AT/ Design Review

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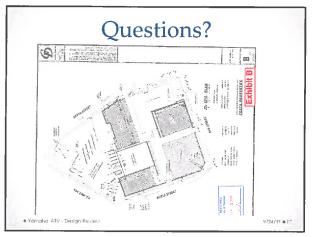


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# Additions/Corrections Page 6: Vehicular Parking: 50' driveway paving (10-3-8) Pavise Findings to reflect inadequate information to determine if criterion met. Add Condition to meet 50' paving requirement.

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Florence City Planning Commission:

I'm Gary Armstrong, a Florence resident and Florence Yamaha customer for 17 years.

Through hard work and a smart business plan, the Costa family has grown Florence Yamaha from representing just the Yamaha factory product into one of Florence's largest small retail family businesses, now representing 3 of the top 4 recreational vehicle manufacturers on the planet and a variety of sports clothing and riding gear manufacturers.

Florence Yamaha also employs a healthy number of Florence residents, paying good wages and benefits to these young family earners in addition to bringing in tourists and tourist dollars to other Florence businesses. Everyone from hotels, restaurants, food and gas and other retailers in our community benefit from the dollars Florence Yamaha customers spend in our community while enjoying fun in the Oregon Dunes and the Oregon Coast.

In this new location, Florence Yamaha can continue needed expansion and enhance its contribution to the overall growth of our town's retail community with particular benefits to Old Town and the Hwy 101 businesses in proximity to this new location.

As the City of Florence strives to demonstrate its new motto "A City in Motion" with the Hwy 101/Old Town facelift, what better business to have near Florence's Gateway to the Oregon Dunes National Recreational Area than a modern, attractive, even colorful retail sports business enticing tourists coming through Florence to stop, shop and enjoy our town.

The Florence City Planning Commission should support this important Florence business's growth by approving the Florence Yamaha application.

Thank you.

Gary Armstrong 1950 W Park Drive Florence, Oregon 97439 541.999.0173



### **Dylan Huber-Heidorn**

From:Nancy Harvey <nanisalive@gmail.com>Sent:Monday, September 23, 2019 12:34 PMTo:planningdepartmentSubject:Relocation of Yamaha

For the record, we are not in favor of relocating the repair shop to the other side of 101. If that, indeed, is supposed to be the future entrance to Old Town, having it cradled between a building materials store and a motorcycle repair shop is not only tacky, but distasteful.

You can do better than that! Please consider something more appropriate for our city, like closer to city hall and the Chamber welcome center.

Thank you

Nan and Don Harvey

# Dylan Huber-Heidorn

From:	Robert Nehl <nehlie@hotmail.com></nehlie@hotmail.com>
Sent:	Friday, September 20, 2019 3:11 PM
То:	planningdepartment
Subject:	ATV

Another NO vote for the ATV Business to go where the lumber yard is on HWY 101.

September 14, 2019

Florence Planning Department 250 Highway 101 Florence, OR 97439

Re: Resolution PC 19 14 DR 03

RECEIVED City of Florence SEP 1 6 2019 By: EKR

Dear Planning Dept.,

This letter is written with concern and opposition to the proposed relocation of the Florence Yamaha to 310 Hwy 101.

### Under Title 10 Zoning Regulations

### Criteria Chapter 1

1-3 #4, #6, #7, #8 Believe proposed relocation is contrary to stated purposes.

1-4 E. #2 g. i. ii. and iii. In general, believe this relocation application deserves and requires a traffic study. More traffic congestion with RVs, trucks and cars with trailers making right and left turns from and onto Hwy 101 and Maple St., crossing sidewalk areas off of Hwy 101 and Maple St. to pull into the business. Impeding pedestrian and bicycle traffic. Safety concerns. Turning the "gateway" street into a high traffic capacity street when intention is to encourage walking and biking. Residential homes in adjacent neighborhoods will be adversely impacted by the proposed development as traffic congestion occurs when those waiting for service use the surrounding streets for parking vehicles with trailers.

Criteria Chapter 3: Have question on the site plan that shows "employee parking" spaces on Nopal Street. Wouldn't these spaces be public spots that anyone could park in?

### Criteria Chapter 6

6-5 D. Idea of the Revision Florence is to have more pedestrians and bicyclers in this prominent area to Old Town and this relocation would have many more vehicles with trailers crossing sidewalk areas to gain access to the business. Safety concern.

6-5 E. Adjacent to residences, these factors must be known and taken into consideration during the process.

6-5 I. No exterior lighting that would create light pollution into the homes adjacent to this property, especially at night.

### Criteria Chapter 16

16-1 A. Believe this relocation would not meet the "attractive community appearance".

16-1 C. Believe this relocation will be in opposition to "safe, efficient traffic flow with minimum congestion".

16-1 F. Do not believe this relocation to this particular Highway District property is necessary for the activities and uses to survive and is dependent upon highway access and visibility. There are other, more suitable, properties with these attributes north or south of Florence or within Florence but not at this "gateway" intersection.



### Criteria Chapter 16

16-1 Final two paragraphs. "The multiple use concept requires careful restraint and employs a design review procedure that encourages highway enterprises to blend harmoniously with the scenic and aesthetic features at the entrances to the City." Believe this relocation would in no way blend harmoniously with the scenic and aesthetic features at the entrances to the City at this location.

"It is intended that the economic potential of this District should be developed, but in a manner than enhances our coastal village atmosphere and is consistent with the Florence Comprehensive Plan. (Ord. 625, 6-30-80) " Again, this relocation would not enhance our coastal village atmosphere in any way.

### Criteria Chapter 27

27-1 "Purpose. The Mainstreet District is intended to provide an area for small and medium sized commercial uses that are appropriate in a traditional, historic downtown. It is also intended to encourage revitalization of the downtown area, and to maintain adequate traffic flows on Highway 101, while providing a pedestrian friendly environment." Believe this relocation would be wholly contrary to the stated purpose of the Mainstreet District

27-2 xxx. To try to classify this business under the singular permitted use of "sporting goods store" is absolutely disingenuous. ATVs might be considered a sporting good but this would primarily be a vehicle sales and vehicle repair shop business to a larger degree than a "sporting goods retail store", which is not what comes to mind when you ask any person what they consider a sporting goods store to be, i.e. The Sportsman in Florence or Dick's Sporting Goods store.

27-3 e. Believe this business would have to apply for a conditional use permit because it includes vehicle repair. Criteria states "automobile repair garage" but because the criteria does not define ATVs specifically, we would contend this criteria would best apply to what this business also truly provides on this property, and this activity must be taken into consideration.

### Criteria Chapter 35

2-5 and A, B, C inclusive Traffic Study Requirements: The City may require a traffic study prepared by an Oregon registered professional engineer with transportation expertise to determine access, circulation, and other transportation requirements in conformance with FCC 10-1-1-4-E, Traffic Impact Studies. Traffic impact study should be required for this proposed relocation.

### Proposal Letter

The proposal letter from the owner states they have mechanics. So they will be servicing and repairing vehicles. The letter states that moving from Hwy 126 "will be safer for our community and our customers who travel on Hwy 126". So instead of Hwy 126 being less safe, Hwy 101 would be less safe with the increased vehicles with trailers trying to access

the business via right and left turns and creating traffic congestion. The letter seems to indicate <u>all</u> vehicles of waiting customers can stay parked on their premises while they walk around. Will there always be room for all vehicles?

As far as being beneficial to Old Town merchants, we believe the whole idea of having this particular business at the "gateway" to Historic Old Town entirely outweighs any small benefits to the merchants year round.

The letter states the business wants to stay in the City and "we feel we simply have to be between Hwy 126 and the Bridge." but also that people are headed further south to all their destinations. There are other areas that would be more appropriate and much more suitable for this proposed relocation and this particular business.

If Florence wants to encourage more actual tourist and residential traffic with what we all know are honest, permitted retail establishments in the important Mainstreet District immediately adjacent to our Historic Old Town District, this highly visible proposed relocation for this business should not be approved. Now is the time to prove that the Planning Department is truly visionary.

Yours truly,

Jack & Judi Sunckan

Jack & Judi Smrekar PO Box 1566 Florence, OR 97439 jandj@smrekar.net

### Wendy Farley-Campbell

From:	Del Phelps <dphelps@bhhsnw.com></dphelps@bhhsnw.com>
Sent:	Friday, September 20, 2019 10:22 AM
То:	Wendy Farley-Campbell
Subject:	Pro Lumber location

Wendy,

This letter is concerning the change of use at the Pro Lumber site one of the museums concerns would be that the gravel yard across the street from the museum be completely paved. During the summer the museum gets a lot of dust and it dirty's our building and our parking area and the cars that are parked there and anything displayed outside and somethings displayed inside on the porch. We would like to see this area across the street fully paved to eliminate the dust. We think it would benefit the Yamaha dealership as well as it would keep their machines cleaner if dust was eliminated everywhere. We think That old town would be better served if all Yamaha Customer parking was restricted to their paved parking lot on the 101 side and that the street parking on Maple Street and 2nd St. be reserved for the public old town people and customers.

If it is possible we would like to have a set of their proposed plans and layout and what happens where provided to us via email. You may send it to Del Phelps's email address that you have. Del

Sent from my iPhone 10 X Pluss Please have a wonderful day I can help you buy and sell property Del



### **Eric Rines**

From:	Del Phelps <dphelps@bhhsnw.com></dphelps@bhhsnw.com>
Sent:	Tuesday, September 24, 2019 3:39 PM
То:	planningdepartment
Cc:	Nancy Sobottka
Subject:	Costa Properties change of use application

Florence planning staff and planning commissioners

I wish to address the Change of use application on the Pro Lumber Property. The Siuslaw Museum has been receiving <u>dust</u> coming across the street from the Pro Lumber Yard for years and dirtying our building, our outside displays, our porch displays, our volunteers' cars, and our visitors' cars. We have lived with it. We feel that with this change of use, now is the time to fix the problem. And, that some sort of paved surface on the lower lot open area designated as receiving and outdoor storage be required by the planning commission. In the summer any activity on these two areas will generate <u>dust</u>, and the museum, being down wind, is the recipient. Without a modification of the application that requires a surface on these two areas that does not generate dust, (Findings of Fact 4). This business, will constantly be in violation of the excessive <u>dust</u> clause referred to in the Nuisance Code. We are now in the prosses of refurbishing and repainting all of our buildings and we hope they can stay nice and clean for a long time to come. We request that you modify the conditions of approval to address the concern stated above.

We also would like to see the parking spots on the west side of  $2^{nd}$  street posted to allow passenger vehicles only, no trailers.

With the exception of the above two paragraphs, the museum is in support of this proposed change because we believe it will increase the number of visitors to our museum as was stated in the applicants letter.

Regards, Del Phelps, Siuslaw Pioneer museum, Secretary

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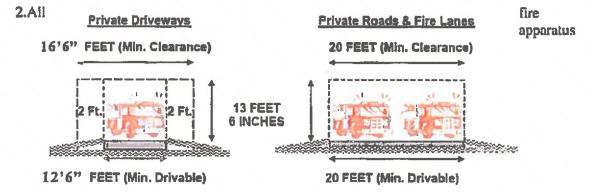
Regards, Del Phelps, Siuslaw Pioneer museum, Secretary

### SIUSLAW VALLEY FIRE & RESCUE ORDINANCE NO. 2019-03

### AN ORDINANCE ADOPTING A PRIVATE DRIVEWAY STANDARD EXHIBIT 1

### Siuslaw Valley Fire & Rescue Requirements for Private Driveways & Private Roads.

1. Private Driveways must have an unobstructed width of not less than 16'6" feet. For the purpose of fire operations, private drive must have a minimum drivable surface of 12'6", with a 2' vegetation or ditched on each side of drivable surface. No encroachments are allowed to be placed in this space unless approved by the fire code official.



access roads and driveways must have an unobstructed height of no less than 13'6"

### Maximum grade on private driveways shall not exceed 12 percent.

Where grades exceed 15 percent, the fire code official is authorized to accept, under the provision of ORS 445.610(5), an automatic fire sprinkler system, meeting the provisions of NFPA 13D, to be installed within all habitable structures as an alternative to meeting these requirements. Fire code officials may accept other alternative fire protection features.

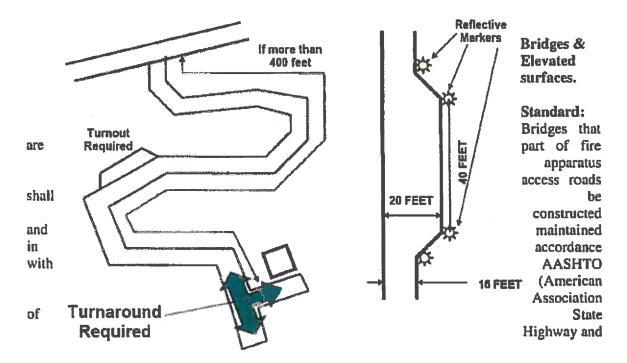
### Turnouts on private driveways.

### Standard:

When a driveway exceeds 400 feet in length, turnouts shall be provided, unless otherwise approved by the fire code official. Oregon Fire Code Section 503.1.1

### **Specifications:**

- 1. Turnouts shall be 20 feet wide and 40 feet long at the widest part.
- 2. Turnouts shall be located no more than 400 feet apart unless approved by the fire code official.
- 3. The distance between turnouts, road intersections, and turnarounds may have the length modified based on visibility and line of sight distances.
- 4. Visual indicators such as reflective markers shall be located to delineate the location and extent of turnouts.



Transportation Officials) Standard Specification for Highway Bridges. Oregon Fire Code Section 503.2.6

### Specifications:

- 1. Private driveways bridges shall be not less than 16 feet in clear width.
- 2. Vehicle turnouts shall be constructed adjacent to bridges on private driveways in accordance with of this guide. Turnouts shall be located not less than 20 feet from one end of the bridge for cuing of fire vehicles that must cross.
- 3. All bridges shall be designed for live load sufficient to carry the imposed loads of fire apparatus in accordance with this guide. *Minimum of 60,000 pounds.*
- 4. Newly constructed bridges shall be designed by a registered design professional.
- 5. If required by building official of the local jurisdiction where the bridge is to be constructed, a building permit shall be obtained for construction of the bridge.
- 6. Signs shall be posted on bridges that do not meet State Code. Vehicle load limit sign shall be located not father than 10 feet from the entrance to a bridge. The sign shall be required at the end where fire apparatus will first encounter the bridge location.
- 7. Signs shall be constructed of 0.080 thickness aluminum.
- 8. Reflective sheeting shall be high intensity prismatic or better.

- 9. Signs shall be of a size not less than 24 inches by 30 inches (maximum 35 miles per hour).
- 5. Maintenance of existing bridge and elevated surfaces shall be the responsibility of the person or persons that have ownership of the bridge or elevated surface.
- 6. All bridges and elevated surfaces shall, for due cause, be inspected for structural stability and soundness. Inspections shall be conducted by a registered design professional.
- 7. Documentation of inspections shall be on an approved format similar to that used by the Oregon Department of Transportation and shall use a uniform condition rating guide that follows industry accepted bridge engineering standards and best practice.

Documentation shall include at a minimum the following;

- a) A written letter bearing the signature of the registered design professional which includes a general statement of the condition of the bridge along with a statement indicating these documents have been prepared by the registered design professional.
- b) Specifications of the load capacity for the bridge for both single and dual axle loads.
- c) All required repairs and maintenance and intervals for such repairs and maintenance.
- d) The date for the next required inspection of the bridge.
- e) The qualifications of the registered design professional conducting the inspection.

