

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM
1.10
(ID # 6095)**

MEETING DATE:

Tuesday, January 30, 2018

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: RECEIVE AND FILE THE PLANNING COMMISSION'S DECISION TO APPROVE THE FIRST EXTENSION OF TIME for TENTATIVE TRACT MAP NO. 33356 – Applicant: Sand Creek Development, LP – Third Supervisorial District – Rancho California Zoning Area – Southwest Area Plan: Rural Community: Estate Density Residential (RC-EDR) (2 Acre Minimum) – Location: Northerly of Linda Rosea Road, southerly of Pauba Road and westerly of Anza Road – 42.4 Gross Acres – Zoning: Residential Developments (R-5) and Residential Agricultural – ½ Acre Minimum (R-A-½), Residential Agricultural – 1 Acre Minimum (R-A-1) and Residential Agricultural – 2 Acre Minimum (R-A-2) – APPROVED PROJECT DESCRIPTION: Schedule "B" Subdivision of 42.4 gross acres into 16 single family residential lots and two (2) open space lots. Residential lots range in size from .75 acres to 5 acres, and the two (2) open space lots total approximately 11 acres – REQUEST: FIRST EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 33356, extending the expiration date to July 12, 2019. [Applicant Fees 100%.]

RECOMMENDED MOTION: That the Board of Supervisors:

1. **RECEIVE AND FILE** the Planning Commission's Notice of Decision for the above referenced case acted on by the Planning Commission on December 6, 2017.

ACTION: Consent

Charissa Leach, Assistant TLMA Director

1/4/2018

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter of approval is received and filed as recommended.

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None
Date: January 30 2018
xc: Planning, Applicant

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
SOURCE OF FUNDS: Applicant Fees 100%			Budget Adjustment: N/A	
			For Fiscal Year: N/A	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Tentative Tract Map No. 33356 was originally approved by the Planning Commission on April 7, 2010. It proceeded to the Board of Supervisors along with Change of Zone No. 7116 where both applications were approved on July 12, 2011.

The First Extension of Time was received on May 19, 2016, ahead of the expiration date of July 12, 2016. The applicant and the County discussed conditions of approval and reached consensus on June 25, 2017.

The County Planning Department, as part of the review of this Extension of Time request, recommends the addition of seven (7) new conditions of approval, in order to be able to make a determination that the project does not adversely affect the general health, safety, and welfare of the public. The applicant was informed of these recommended conditions and has agreed to accept them.

The Tentative Tract Map also benefited from Senate Bill No. 1185 (SB1185), Assembly Bill No. 333 (AB333), Assembly Bill No. 208 (AB208), and Assembly Bill No. 116 (AB116), which granted statutory extensions of time for tentative maps statewide.

The Planning Commission heard the First Extension of Time for Tentative Tract Map No. 33356 on December 6, 2017. The Planning Commission approved the project by a 4-0 vote (Commissioner Hake absent).

Board Action

The Planning Commission's decision is final and no action by the Board of Supervisors is required unless the applicant or an interested person files a complete appeal application within 10 days of this notice appearing on the Board's agenda.

Impact on Citizens and Businesses

The impacts of this project have been evaluated through the environmental review and public hearing process by the Planning Department and the Planning Commission.

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

**Supplemental
Additional Fiscal Information**

All fees are paid by the applicant. There is no General Fund obligation.

ATTACHMENTS:

- A. PLANNING COMMISSION MINUTES**
- B. PLANNING COMMISSION STAFF REPORT**



**PLANNING COMMISSION
MINUTE ORDER
DECEMBER 6, 2017**

I. AGENDA ITEM 1.9

FIRST EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 33356 – Applicant: Sand Creek Development, LP – Third Supervisorial District – Rancho California Zoning Area – Southwest Area Plan: Rural Community: Estate Density Residential (RC-EDR) (2 Acre Minimum) – Location: Northerly of Linda Rosea Road, southerly of Pauba Road, and westerly of Anza Road – 42.4 Gross Acres – Zoning: Residential Developments (R-5) – Residential Agricultural – ½ Acre Minimum (R-A-½), Residential Agricultural – 1 Acre Minimum (R-A-1) – Residential Agricultural – 2 Acre Minimum (R-A-2) – Approved Project Description: Schedule “B” Subdivision of 42.4 gross acres into 16 single family residential lots and two (2) open space lots. Residential lots range in size from .75 acres to 5 acres, and the two (2) open space lots total approximately 11 acres.

II. PROJECT DESCRIPTION:

First Extension of Time Request for Tentative Tract Map No. 33356, extending the expiration date to July 12, 2019.

III. PLANNING COMMISSION ACTION:

Motion by Commissioner Sanchez, 2nd by Commissioner Taylor-Berger
A vote of 4-0 (Commissioner Hake Absent)

APPROVED - First Extension of Time Request for Tentative Tract Map No. 33356, extending the expiration date to July 12, 2019.



**COUNTY OF RIVERSIDE
PLANNING DEPARTMENT
EXTENSION OF TIME REPORT**

Agenda Item No.:

1.9

Planning Commission Hearing: December 6, 2017

PROPOSED PROJECT

Case Number(s): TR33356

Applicant:

Area Plan: Southwest

Sand Creek Development LP

Zoning Area/District: Rancho California Area

Supervisory District: Third District

Project Planner: Gabriel Villalobos

Charissa Leach, P.E.
Assistant TLMA Director

PROJECT DESCRIPTION AND LOCATION

The applicant of the subject case has requested an extension of time to allow for the recordation of the final map to subdivide 42.4 gross acres into 16 single family residential lots and two (2) open space lots. Residential lots range in size from .75 acres to 5 acres, and the two (2) open space lots total approximately 11 acres.

PROJECT RECOMMENDATION

APPROVAL of the **FIRST EXTENSION OF TIME REQUEST** for **TENTATIVE TRACT MAP NO. 33356**, extending the expiration date and to reflect SB1185, AB333, AB208, and AB116 benefits to July 12, 2019, subject to all the previously approved and amended Conditions of Approval, with the applicant's consent.

PROJECT LOCATION MAP

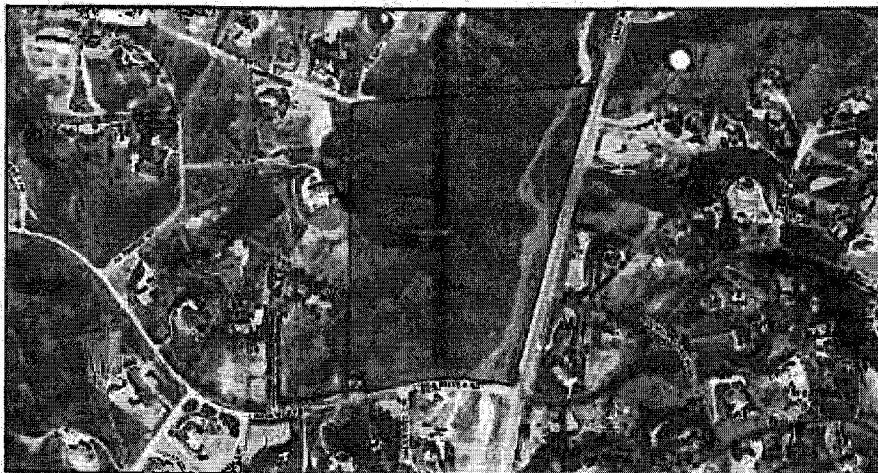


Figure 1: Project Location Map

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PROJECT BACKGROUND AND ANALYSIS

Background

Tentative Tract Map No. 33356 was originally approved at Planning Commission on April 7, 2010. It proceeded to the Board of Supervisors along with Change of Zone No. 7116 where both applications were approved on July 12, 2011.

The First Extension of Time was received May 19, 2016, ahead of the expiration date of July 12, 2016. The applicant and the County discussed conditions of approval and reached consensus on June 25, 2017.

The County Planning Department, as part of the review of this Extension of Time request, recommends the addition of seven (7) new conditions of approval, in order to be able to make a determination that the project does not adversely affect the general health, safety, and welfare of the public. The applicant was informed of these recommended conditions and has agreed to accept them. Included in this staff report package are the recommended conditions of approval, and the correspondence from the Extension of Time applicant (June 25, 2017) indicating the acceptance of the seven (7) recommended conditions.

Unless specifically requested by the applicant, this Extension of Time request will not be discussed at the time it is presented to the Planning Commission as a consent calendar item.

Riverside County Map Extensions

Pursuant to County of Riverside Ordinance No. 460 (Subdivision Regulations), tentative tract and parcel maps have an initial life-span approval of 3-years. Prior to September 12, 2017, a maximum of 5, 1-year extensions may have been approved, upon a timely filed extension request, allowing for a total tentative map life-span approval of 8-years. On September 12, 2017, the Board of Supervisors approved an amendment to Ordinance 460, replacing the extension time frames to allow for 2, 3-year extensions, for a total tentative map life-span of 9-years.

The total number years a map may be extended is 6 years. This First extension will grant 3 years. The remaining number of years available to extend this tentative map after this approval will be 3 years.

State Bills

EFFECT OF Senate Bill No. 1185 (SB1185): On July 15, 2008, AB208 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 12 month extension on previously approved subdivision maps set to expire between July 15, 2008 and January 1, 2011.

EFFECT OF Assembly Bill No. 333 (AB333): On July 15, 2009, AB333 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 24 month extension on previously approved subdivision maps set to expire between July 15, 2009 and January 1, 2012.

EFFECT OF Assembly Bill No. 208 (AB208): On July 13, 2011, AB208 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 24 month extension on previously approved subdivision maps set to expire between July 13, 2011 and January 1, 2014.

EFFECT OF Assembly Bill No. 116 (AB116): On July 11, 2013, AB116 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand

for housing goes up. It gives developers an automatic 24 month extension on previously approved subdivision maps set to expire between January 1, 2000 and July 11, 2013.

Therefore, upon an approval action by the Planning Commission, subsequent receive and file action by the Board of Supervisors, and the conclusion of the 10-day appeal period, the tentative map's expiration date will become July 12, 2019. If a final map has not been recorded prior this date, the next extension of time request must be filed 30-days prior to map expiration.

ENVIRONMENTAL REVIEW

The subject case has conformed to the requirements of the California Environmental Quality Act ("CEQA"), and all impacts have been analyzed in order to protect the public health, safety, and welfare. No changes to the approved map are proposed and as a result, no new environmental documentation is required prior to an Extension of Time approval.

FINDINGS

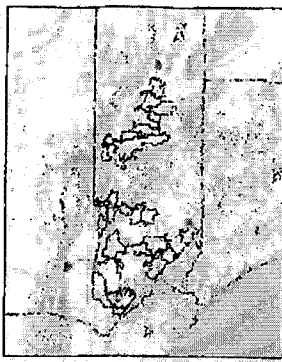
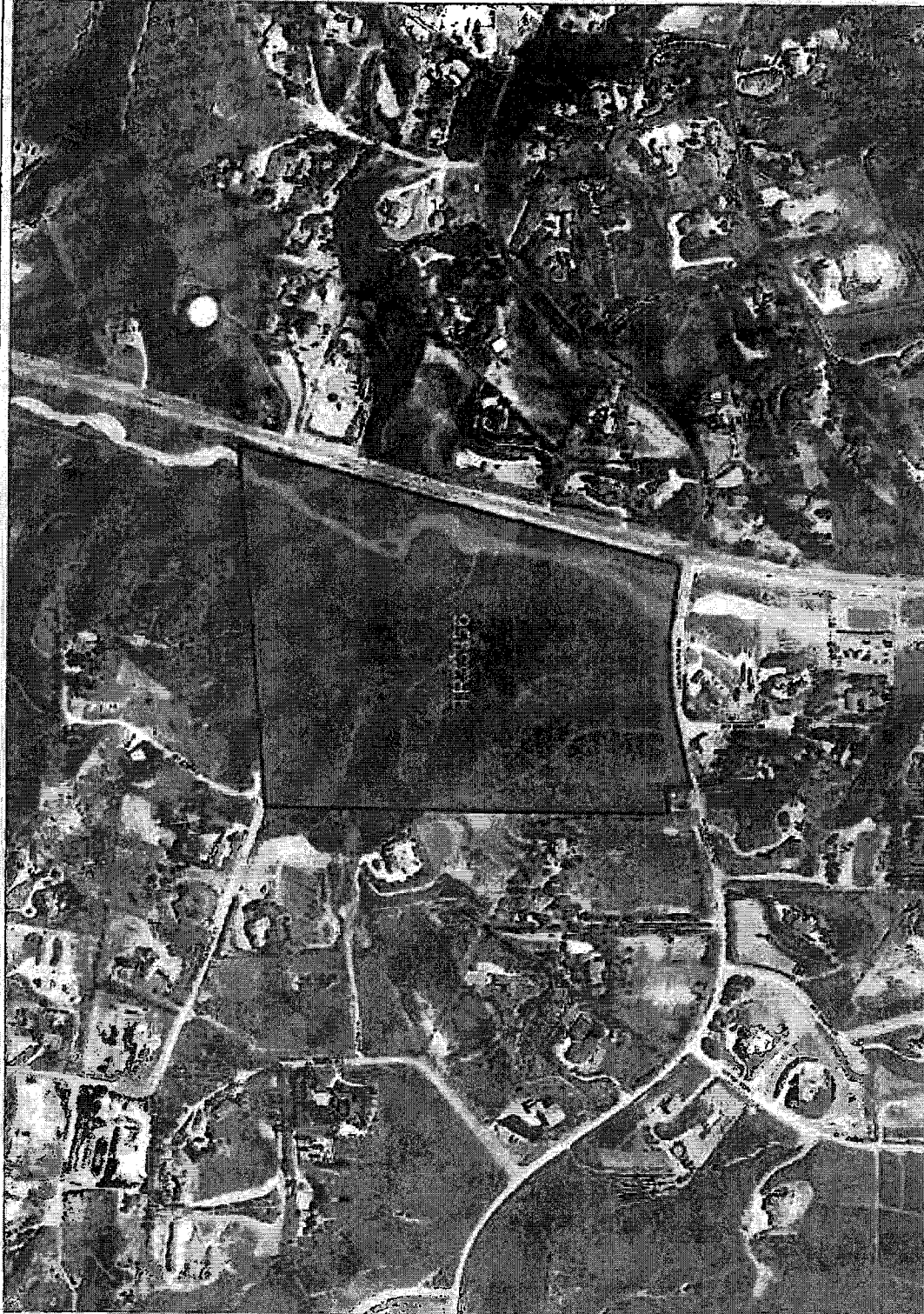
In order for the County to approve a proposed project, the following findings are required to be made:

Extension of Time Findings

















1. This Tentative Tract Map has been found to be consistent with the Riverside County General Plan, pursuant to the originally approved findings and conditions of approval. This Extension of Time proposes no changes to the map design and is therefore still found to be consistent.
 2. This Tentative Tract Map has been found to be consistent with Ordinance No. 348 (Zoning Code) and Ordinance No. 460 (Subdivision Regulations), pursuant to the originally approved findings and conditions of approval. This Extension of Time proposes no changes to the map design and is therefore still found to be consistent.
 3. No changes to the approved map are proposed in conjunction with this Extension of Time. All impacts have been analyzed in order to protect the public health, safety, and welfare.
-

Vicinity Map

1st EOT for TR33356



Legend

-  City Boundaries
-  Cities
-  roads
-  highways
-  HWY
-  INTERCHANGE
-  INTERSTATE
-  OFFRAMP
-  ONRAMP
-  USHWY
-  counties
-  cities
-  hydrography
-  waterbodies
-  Lakes
-  Rivers

Notes

IMPORTANT Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.



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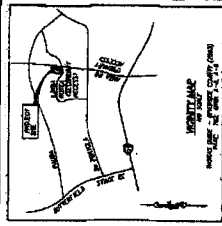
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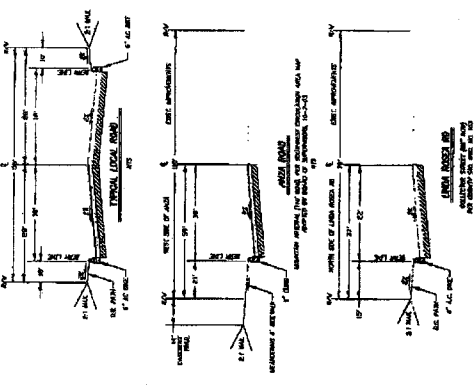
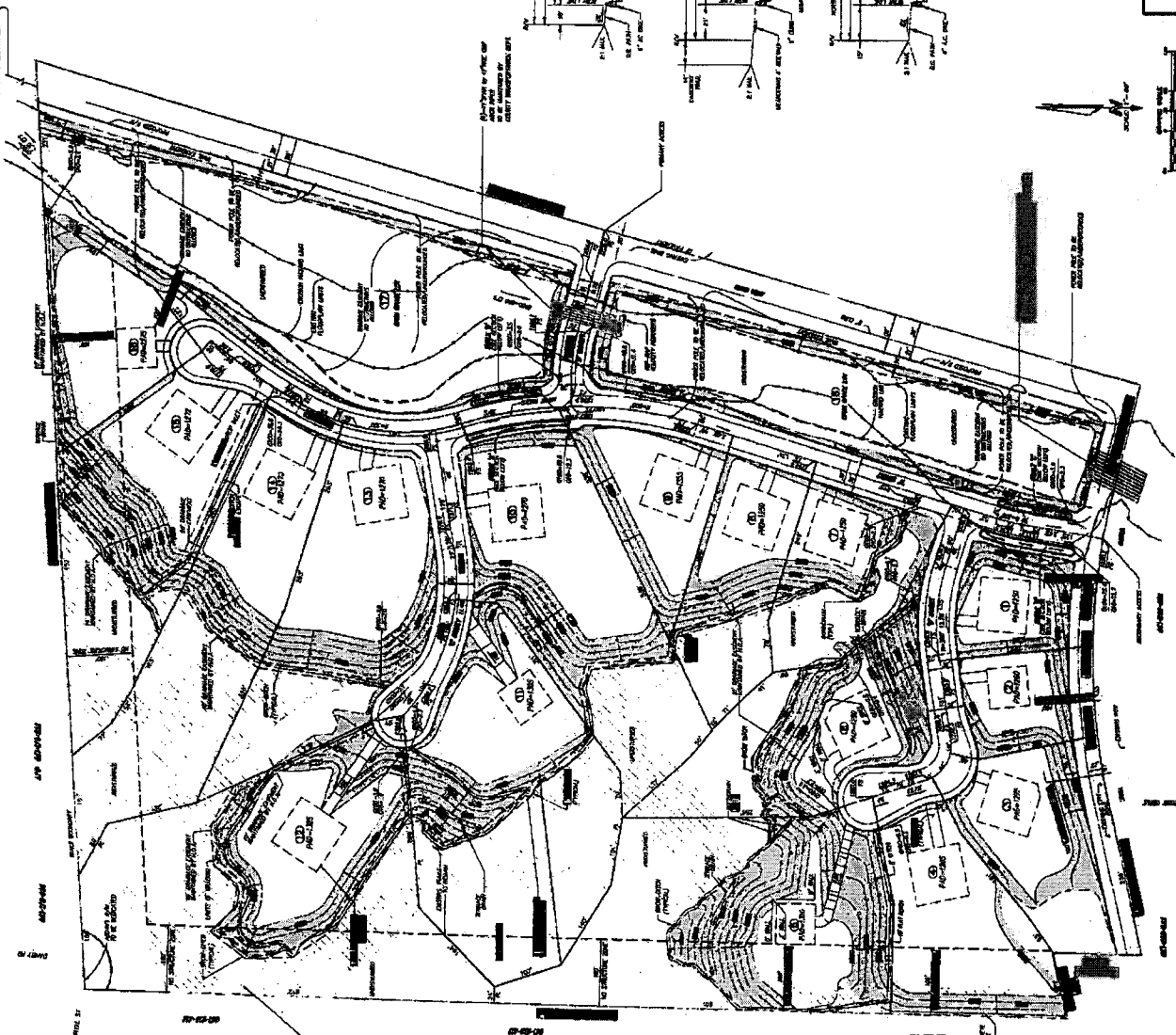
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© Riverside County RCIT GIS

TENTATIVE TRACT MAP 33356 IN THE COUNTY OF RIVERSIDE (AMENDED EXHIBIT NO. 3)



LOT AREA TABLE	
LOT #	ACRES AND DCS
1	3.60
2	2.50
3	1.50
4	1.50
5	1.50
6	2.50
7	1.50
8	1.50
9	1.50
10	2.50
11	2.50
12	1.50
13	1.50
14	2.50
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18	2.50
19	2.50
20	2.50
21	2.50
22	2.50



ENGINEERING
SHEET TITLE
TITLE / GRADING SHEET
COUNTY OF RIVERSIDE
TENTATIVE TRACT MAP 33356

GENERAL NOTES
1. ALL INFORMATION ON THIS TRACT MAP IS BASED ON THE RECORD PLATS AND SURVEYS REFERENCED THEREIN.
2. THE TRACT MAP IS SUBJECT TO ALL RECORD PLATS AND SURVEYS ON FILE IN THE PUBLIC RECORDS OF THE COUNTY OF RIVERSIDE.
3. THE TRACT MAP IS SUBJECT TO ALL RECORD PLATS AND SURVEYS ON FILE IN THE PUBLIC RECORDS OF THE COUNTY OF RIVERSIDE.
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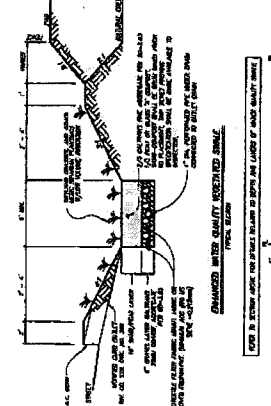
PROBABLE STATEMENT OF COMPLIANCE
I, the undersigned, being duly licensed as a Professional Engineer in the State of California, hereby certify that the information furnished to me by the applicant for this tentative tract map is true and correct to the best of my knowledge and belief, and that the same complies with the provisions of the Subdivided Lands Act and the regulations thereunder.

GENERAL NOTES
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NO.	DESCRIPTION	DATE
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Extension of Time Environmental Determination

Project Case Number: TR33356
 Original E.A. Number: 40032
 Extension of Time No.: First
 Original Approval Date: July 12, 2011
 Project Location: North of Linda Rosea Road, South of Pauba Road and West of Anza Road

Project Description: Schedule "B" Subdivision of 42.4 gross acres into 16 single family residential lots and two (2) open space lots. Residential lots range in size from .75 acres to 5 acres, and the two (2) open space lots total approximately 11 acres.

On July 12, 2011, this Tentative Tract Map and its original environmental assessment/environmental impact report was reviewed to determine: 1) whether any significant or potentially significant changes in the original proposal have occurred; 2) whether its environmental conditions or circumstances affecting the proposed development have changed. As a result of this evaluation, the following determination has been made:

<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED PRIOR TO APPROVAL OF THE EXTENSION OF TIME , because all potentially significant effects (a) have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration and the project's original conditions of approval.
<input checked="" type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, and there are one or more potentially significant environmental changes or other changes to the circumstances under which the project is undertaken, NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED PRIOR TO APPROVAL OF THE EXTENSION OF TIME , because all potentially significant effects (a) have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration and revisions to the project's original conditions of approval which have been made and agreed to by the project proponent.
<input type="checkbox"/>	I find that there are one or more potentially significant environmental changes or other changes to the circumstances under which the project is undertaken, which the project's original conditions of approval may not address, and for which additional required mitigation measures and/or conditions of approval cannot be determined at this time. Therefore, AN ENVIRONMENTAL ASSESSMENT/INITIAL STUDY IS REQUIRED in order to determine what additional mitigation measures and/or conditions of approval, if any, may be needed, and whether or not at least one of the conditions described in California Code of Regulations, Section 15162 (necessitating a Supplemental or Subsequent E.I.R.) exist. Additionally, the environmental assessment/initial study shall be used to determine WHETHER OR NOT THE EXTENSION OF TIME SHOULD BE RECOMMENDED FOR APPROVAL .
<input type="checkbox"/>	I find that the original project was determined to be exempt from CEQA, and the proposed project will not have a significant effect on the environment, therefore NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED PRIOR TO APPROVAL OF THE EXTENSION OF TIME .

Signature: 
 Arturo Ortuño, Project Planner

Date: October 13, 2017
 For Charissa Leech, Assistant TLMA Director

June 25, 2017

To: Arturo Ortuno

From: Angela Little

Re: Acceptance of EOT-2 Conditions of Approval for Case TR33356

Mr. Ortuno,

I am the applicant for the EOT, Case TR33356. I accept the following conditions of approval associated with the 2nd Extension of Time Request.

1. Prior to Map Recordation

50. E HEALTH. 5 REQUIRED DOCUMENTS
50. TRANS 31 FINAL ACCESS AND MAINTENANCE

2. Prior to Grading Permit Issuance

60. GRADE 14 REQUIRED BMP SWPPP WQMP
60. TRANS 1 FINAL WQMP FOR GRADING

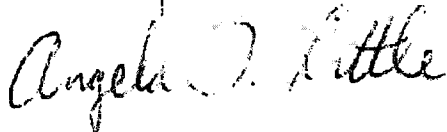
3. Prior to Building Permit Issuance

80. TRANS 1 WQMP AND MAINTENANCE

4. Prior to Building Final Inspection

90. GRADE 3 WQMP REQUIRED
90. TRANS 6 WQMP COMP AND BUSINESS REGISTRATION

Thank you for your service.



Angela D. Little, General Partner
Sand Creek Development, LP

10/30/17
15:58

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 1

TRACT MAP Tract #: TR33356

Parcel: 951-220-002

50. PRIOR TO MAP RECORDATION

E HEALTH DEPARTMENT

50.E-HEALTH. 5 EOT2 - REQ E HEALTH DOCUMENTS

RECOMMND

Prior to map recordation, provide the following documents to the Riverside County Environmental Health Department:

1. Provide written clearance from DEH Environmental Cleanup Programs. Please note that an Environmental Site Assessment, Phase 1 study may be required at their discretion. For further information, please contact (951) 955-8982.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

TRANS DEPARTMENT

50.TRANS. 31

EOT2 - FINAL ACCESS AND MAINT

RECOMMND

Prior to the map recordation, the applicant shall submit a Water Quality Management Plan (WQMP) subject to the State Regional Water Quality Board Order No. (See watershed below) to Transportation Department for review and approval. However, the applicant may be required to comply with the latest version of the WQMP manual if required by the State Regional Water Quality Board. All water quality features shall be included on the grading plan. WQMP applicability checklist, templates, LID design requirements, and guidance can be found on-line at: www.rcflood.org/npdes. For any questions, please contact (951) 712-5494.

Watersheds: Santa Ana No. R8-2013-0024 / Santa Margarita No. R9-2010-0016 / Whitewater No. R7-2013-0011

Additionally, prior to the map recordation, the applicant shall ensure that BMP facilities are placed in dedicated easements and that sufficient legal access to the BMPs are provided. This requirement is for both onsite and offsite property.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

10/30/17
15:58

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 2

TRACT MAP Tract #: TR33356

Parcel: 951-220-002

60. PRIOR TO GRADING PRMT ISSUANCE

BS GRADE DEPARTMENT

60.BS.GRADE. 14 - REQ. EOT2 - REQ BMP SWPPP WQMP

RECOMMND

Prior to the issuance of a grading permit, the owner / applicant shall obtain a BMP (Best Management Practices) Permit for the monitoring of the erosion and sediment control BMPs for the site. The Department of Building and Safety will conduct NPDES (National Pollutant Discharge Elimination System) inspections of the site based on Risk Level to verify compliance with the Construction General Permit, Stormwater ordinances and regulations until completion of the construction activities, permanent stabilization of the site and permit final.

If a Water Quality Management Plan (WQMP) is required, the owner / applicant shall submit to the Building & Safety Department, the approved project - specific Water Quality Management Plan (WQMP) and ensure that all approved water quality treatment control BMPs have been included on the grading plan.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

TRANS DEPARTMENT

60.TRANS. 1 EOT2 - FINAL WQMP FOR GRADING

RECOMMND

This condition would apply when grading occurs before map recordation. Prior to the issuance of a grading permit, the applicant shall submit a Water Quality Management Plan (WQMP) subject to the State Regional Water Quality Board Order No. (See watershed below) to Transportation Department for review and approval. However, the applicant may be required to comply with the latest version of the WQMP manual if required by the State Regional Water Quality Board. All water quality features shall be included on the grading plan. WQMP applicability checklist, templates, LID design requirements, and guidance can be found on-line at: www.rcflood.org/npdes. For any questions, please contact (951) 712-5494.

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(This Extension of Time condition may be considered "Met"

10/30/17
15:58

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 3

TRACT MAP Tract #: TR33356

Parcel: 951-220-002

60. PRIOR TO GRADING PRMT ISSUANCE

60.TRANS. 1

EOT2 - FINAL WQMP FOR GRADING (cont.)

RECOMMND

if it duplicates another similar condition issued by this department)

80. PRIOR TO BLDG PRMT ISSUANCE

TRANS DEPARTMENT

80.TRANS. 1

EOT2 - WQMP AND MAINTENANCE

RECOMMND

The project shall begin constructing and installing the BMP facilities described in the approved Final WQMP. The project shall be responsible for performing all activities described in the WQMP and that copies of the approved Final WQMP are available for the future owners/occupants.

A maintenance plan and signed maintenance agreement shall be submitted to the Transportation Department for review and approval prior to issuance of occupancy permits. A maintenance organization will be established with a funding source for the permanent maintenance. The maintenance plan shall require that all BMP facilities are inspected, if required, cleaned no later than October 15 each year.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

90. PRIOR TO BLDG FINAL INSPECTION

BS GRADE DEPARTMENT

90.BS GRADE. 3

EOT2 - WQMP REQUIRED

RECOMMND

Prior to final building inspection, the applicant shall comply with the following:

1. Obtain inspection of all treatment control BMPs and/or clearance from the Building and Safety Department. All structural BMPs described in the project - specific WQMP and indicated on the approved grading plan shall be constructed and installed in conformance with the approved plans and specifications.

2. The applicant/owner shall submit a "Wet Signed" copy of the Water Quality Management Plan (WQMP) Certification from a Registered Civil Engineer certifying that the project -

10/30/17
15:58

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 4

TRACT MAP Tract #: TR33356

Parcel: 951-220-002

90. PRIOR TO BLDG FINAL INSPECTION

90.BS GRADE. 3

EOT2 - WQMP REQUIRED (cont.)

RECOMMNE

specific WQMP treatment control BMPs have been installed in accordance with the approved WQMP.

3. The applicant/owner shall provide the Department of Building Safety with GPS coordinates for the location of the project - specific WQMP treatment control BMPs.

4. The applicant/owner shall register the project - specific WQMP treatment control BMPs with the Department of Building Safety Business Registration Division. Any person or entity that owns or operates a commercial and/or industrial facility shall register such facility for annual inspections.

5. The applicant shall make payment to the Building and Safety Department for the Water Quality Management Plan (WQMP) Annual Inspection.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

TRANS DEPARTMENT

90.TRANS. 6

EOT2 - WQMP COMP AND BNS REG

RECOMMNE

Prior to Building Final Inspection, the applicant will be required to hand out educational materials regarding water quality, provide a engineered WQMP certification, inspection of BMPs, GPS location of BMPs, and ensure that the requirements for inspection and cleaning the BMPs are established. Additionally, the applicant will be required to register BMPs with the Transportation Department's Business Registration Division.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)