

**Burden of Proof Statements:
Minor Modification of Conditions of Special Use Permit No. 1404-(5)
Agua Dulce Airport**

A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or

For the reasons set forth below, implementation of the proposed minor modifications to the specified conditions of approval for Special Use Permit 1404-(5) (the “SUP”) will in no way adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.

The proposed condition modification requesting the standard 30-day filing window for Temporary Use Permits (“TUP”) at the airport, in lieu of the 60-day filing requirement now specified by condition no. 32.A of the SUP, is the same standard required for all other county businesses/properties. The applicant is simply asking to be treated like all other county businesses/properties with respect to the filing window for TUP’s. This change would in no way adversely affect persons working or living in the vicinity of the airport, but it would ease the unnecessary burden faced by charities and local community groups seeking to file TUP’s for special events at the airport, who are currently required to file TUP’s 60 days in advance of the event instead of the County’s standard 30-day filing window for TUP’s.

The proposed minor modification to SUP condition no. 39.O, requesting that the permittee and hangar owners/lessees be allowed to store their non-aircraft-related personal property in their hangars, would likewise have no negative impact on persons working or living in the vicinity of the airport. The applicant is simply requesting the same accommodation afforded hangar owners/lessees at the airports owned and operated by the County; to be allowed to store their non-aircraft-related personal property (such as cars, off-road vehicles, etc.) within their hangars. As outlined in the applicant’s letter of justification submitted with this application, the proposed condition modification would make it clear that only non-aircraft-related property that is owned by the hangar owner/lessee in question would be allowed to be stored in their hangars. This provision ensures hangar owners/lessees would not be allowed to sublet their hangars to others for storage of property owned by others (this restriction will also be reflected in all hangar leases). Moreover, per the proposed condition modification language, the primary use of the hangars will continue to be for the storage of aircraft owned by the hangar lessee/owner (this provision, which will likewise be included in all hangar leases, ensures

the principal purpose of the airport hangars will continue to be for the storage of personal aircraft owned by the hangar owners/lessees).

The proposed minor modification to SUP condition no. 34, requesting that filming be allowed after 10:00 p.m. within the confines of a fully enclosed hangar, is necessary to make the airport more competitive with other County properties as a filming location. To ensure any potential negative noise impacts to surrounding properties are appropriately mitigated, the proposed condition language would prohibit film crews from congregating in outdoor areas of the property after 10:00 p.m. (so as to minimize the potential for noises generated by film crew's voices or outdoor activities to carry off the property). Any filming after 10:00 p.m. would only be allowed within the confines of an enclosed hangar; filming will continue to be strictly prohibited in outdoor areas of the property after 10:00 p.m. Appropriate oversight and conditions monitoring will be provided for all airport film shoots by Santa Clarita Valley Locations, Inc., a trusted and proven Santa Clarita-based film management company; Santa Clarita Valley Locations will help ensure film crew's strict adherence to conditions imposed by FilmLA for any and all film shoots that may occur at the airport.

The proposed minor modification to SUP condition no. 36, requesting that the SUP's current 30-day-per-year filming cap be removed, will likewise not negatively impact persons working or residing in the vicinity of the airport. Santa Clarita Valley Locations, Inc., a trusted and experienced film shoot management firm, will be on-hand during all film shoots at the airport to ensure all SUP conditions are adhered to and that all Film Permit conditions imposed by FilmLA for any particular film shoot at the airport are strictly followed. As outlined in the applicant's letter of justification submitted with this application, removal of the SUP's current "30-day-per-year" cap on filming is necessary in order to make the airport a more viable location for filming and to place the property in a more equitable position with respect to other properties and businesses located in the County that accommodate filming. This condition modification will help the airport fulfill the County's goal of retaining film production in the County. As noted, in order to minimize potential adverse impacts to persons living and working in the vicinity of the airport, all filming will be appropriately monitored via the professional oversight provided by Santa Clarita Valley Locations and via strict adherence to the conditions of approval for any particular FilmLA Film Permit issued for filming at the airport.

2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or

For the reasons set forth below, implementation of the proposed minor modifications to the specified SUP conditions will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site.

The proposed modification to condition no. 32.A would simply make it more convenient and less burdensome for charities and community groups to file for TUP's at the property, in-line with the requirements for TUP filings at all other County properties; this modification would have zero impact to airport neighbors' use, enjoyment of valuation of surrounding properties.

Likewise, the proposed modification to SUP condition no. 39.O, concerning hangar storage, would have no appreciable effect on airport neighbors' use, enjoyment of valuation of surrounding properties. This proposed modification would simply bring the airport in-line with other airports owned and operated by the County with respect to storage of non-airport-related property within airport hangars. Appropriate provisions have been offered by the applicant to ensure only non-airport-related personal property of hangar owners/lessees are allowed to be stored within their hangars, and that the primary purpose of the hangars will remain for the storage of personal aircraft owned by individual hangar owners/lessees.

The proposed modification to SUP condition no. 34, which would allow filming to occur within the enclosed confines of a hangar after 10:00 p.m., would likewise not negatively impact airport neighbors' use, enjoyment of valuation of surrounding properties. The applicant has offered a provision strictly prohibiting film crews from congregating in outdoor portions of the property after 10:00 p.m. This will help ensure that potential noises which might otherwise spill onto neighboring properties from film crew's voices or outdoor activities will be minimized. The reality is that filming within enclosed hangars after 10:00 p.m. will go unnoticed by persons residing in the vicinity of the airport, because the hangars where filming might occur are isolated—both by distance and topography—from the few residences in the vicinity of the airport.

The same is true regarding the applicant's proposed modification to condition no. 36 of the SUP (which would remove the annual 30-day cap on filming at the airport). As noted, all filming to be conducted at the airport will be appropriately monitored by Santa Clarita Valley Locations, a professional Santa Clarita-area film shoot management company with a proven track record and broad experience in the field. This company will ensure professional oversight of all filming that occurs on the property and will help enforce film crew's strict adherence to Film Permit conditions imposed by Film LA for any particular film shoot held at the airport. This oversight, in turn, will help ensure that all filming at the airport is conducted in a manner so as not to be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the property.

3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and

None of the applicant's proposed minor modifications to the SUP conditions would serve to jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare. As outlined above and in the applicant's letter of justification submitted with this application, the applicant has offered condition language that will help minimize any potential impacts (however remote such potential impacts may be) to neighboring properties and the broader Agua Dulce community.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and

As reflected on the approved Revised Exhibit "A"/site plan for the airport (submitted with this application), the 110-acre subject property is more than adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities and other development features prescribed in the County Zoning Code.

C. That the proposed site is adequately served:

- 1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of pedestrian, bicycle, and vehicle traffic such use would generate; and**
- 2. By other public or private service facilities as are required.**

The subject property is served by streets of sufficient width that are fully improved to carry the kind and quantity of vehicular traffic generated by the airport. The airport is also served by public and private service facilities, as required by the County.

D. That the modified conditional use permit will not materially deviate from the terms and conditions imposed in the previously approved conditional use permit; and

As outlined herein and in the applicant's letter of justification submitted with this application, the applicant's proposed SUP condition modifications are minor in nature and do not materially deviate from the terms and conditions imposed in the SUP. While the proposed condition modifications would not adversely affect neighboring residents or surrounding properties, the proposed minor condition modifications are necessary in

order to bring the airport on a more level playing field with other County airports and businesses, so that the applicant may enjoy their reasonable use of the airport facilities. Various community stakeholders have signaled their support for the requested condition modifications (see attached letters from the Agua Dulce Town Council, the Santa Clarita Valley Chamber of Commerce and FilmLA).

E. That approval of the application is necessary to allow the reasonable operation and use granted in the conditional use permit.

As outlined herein and in the applicant's letter of justification submitted with this application, the proposed minor condition modifications are needed to place the airport on a more level playing field with other County airports and businesses regarding TUP processing procedures, hangar storage, and filming. Implementation of the proposed condition modifications will not be injurious or negatively impactful to surrounding residents or neighboring properties, but will allow the applicant the reasonable operation and use of its property, as regulated by the SUP.