

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 50, LICENSING OF CANNABIS OPERATIONS, OF THE
SANTA BARBARA COUNTY CODE

The Board of Supervisors of the County of Santa Barbara ordains as follows:

SECTION 1. Chapter 50 of the Santa Barbara County Code, titled “Licensing of Cannabis Operations,” Section 50-9, Review of process of application for cannabis business license, subsection (c) is hereby amended and shall read as follows:

...

- (c) After the county executive office confirms that the application includes all the information required in section 50-8, the county executive office will promptly forward the application to appropriate departments, including, but not limited to, planning and development, ~~sheriff~~, fire, agricultural commissioner, treasurer-tax collector, and public health for review and site visit. The departments shall recommend to the county executive office whether or not the county executive office should approve the issuance of the cannabis business license in accordance with this chapter.

SECTION 2. Chapter 50 of the Santa Barbara County Code, titled “Licensing of Cannabis Operations,” Section 50-11, Application review by the sheriff’s department and ongoing requirements – Criminal history check and security plan is hereby amended and shall read as follows:

Sec 50-11. - Application review by the county executive office ~~sheriff’s department and ongoing requirements~~ – Criminal history check and security plan.

- (a) ~~The sheriff's department functions as lead reviewer for all applications and compliance or renewal site visits of cannabis business licenses for distributor and retail operations; including microbusiness. The sheriff's department~~ The county executive office will also participate in reviewing site security plans and criminal history backgrounds for all cannabis business license applications and renewals.
- (b) Criminal history checks.

Ordinance Amending Chapter 50 – Licensing of Commercial Cannabis Operations

Adopted: May 1, 2018

Amended: April 9, 2019, August 27, 2019, December 17, 2019, February 2, 2021, November 2, 2021, March 1, 2022, November 29, 2022, July 18, 2023, April 1, 2025, June 10, 2025, and August 26, 2025

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- (1) All applicants, owners, and persons having at least a twenty percent financial interest, must submit to a live scan check conducted by any entity authorized by the California Department of Justice to perform Live Scan fingerprinting services in accordance with the Department of Cannabis Control CCR Title 4, Division 19, as may be amended. This live scan check consists of a criminal history search for disqualifying convictions identified in subsection (4) below. These checks must be completed on applicants, owners, and persons having at least a twenty percent financial interest prior to employment or engaging in the cannabis operation. ~~Upon satisfactory review of the live scan, the sheriff's cannabis team will obtain a photograph and issue an identification (ID) card to each qualifying individual. This identification shall be worn when on the licensed premise and used to visually verify authorization of employment at that site.~~
- (2) ~~The sheriff's department~~ The county executive office may conduct further investigation of the applicant and owners as deemed appropriate and shall consider compliance with Business and Professions Code Section 26057, as may be amended. During the criminal history check process, ~~the sheriff's department staff~~ may also obtain a copy of criminal records in the United States, if any, and may obtain a copy of criminal records in any other country, if obtaining such foreign criminal records is feasible. ~~Upon the satisfactory review of the criminal history, the sheriff's department will issue each qualified person an identification (ID) card.~~
- (3) If ~~the sheriff staff~~ disapproves the application, ~~staff~~ the sheriff shall ~~notify the county executive office in writing giving document~~ the reason(s) for the disapproval.
- (4) No applicant, owner, or person having at least a twenty percent financial interest engaged in the operation of the commercial cannabis operation may have been convicted of a felony or other crime as set forth in Business and Professions Code Section 26057, as may be amended.

(c) Site ~~s~~Security plan.

- (1) All applicants shall prepare and submit a site security plan (plan), that has been reviewed and approved during the land use entitlement process, to the county executive office.
- (2) The county executive office will review and approve the plan. ~~forward the plan to the sheriff's department for review and approval.~~

- (3) The plan shall include at a minimum perimeter security system, lighting, twenty-four-hour video monitoring with forty-five-day archiving of video that cover all areas of the licensed operation, employee training program on company policies and cannabis laws, color coded identification cards based on access, ~~system for obtaining and managing sheriff's department cannabis access identification cards~~, policies for employees that do not wear identification cards while on the premises, prevention of product diversion, theft, and loss, as may be required ~~by the sheriff's department~~ to protect the public safety, and proof that the plan complies with chapter 35 and has received all required approvals from the planning and development department.
- (4) If upon review an applicant's site security plan and/or its implementation is inadequate, ~~staff~~ sheriff may provide an opportunity to improve the plan to meet necessary standards. Any proposed changes to site security measures require notification and approval of ~~staff~~ the sheriff's office prior to implementation.
- (5) If ~~the sheriff staff~~ disapproves the plan or its implementation, ~~the sheriff staff~~ shall notify ~~the county executive office~~ and the planning and development department in writing giving the reason(s) for the disapproval.
- (6) All security plans must be implemented and approved before a cannabis business license will be issued.

(d) Sheriff compliance.

- (1) The sheriff's department will conduct compliance activities to verify applicant on-site measures comply with approved security plans in compliance with subsection 50-11(c)(3) and chapter 35.
- (2) If upon review of implementation of an applicant's site security plan, there are compliance concerns, the sheriff shall notify the county executive office and the planning and development department in writing to provide the deficiencies.

SECTION 3. Chapter 50 of the Santa Barbara County Code, titled "Licensing of Cannabis Operations," Section 50-23, Change in Ownership, subsection (a), is hereby amended and shall read as follows:

- (a) Any new applicants, owners, or other persons having at least a twenty percent financial interest must submit to a live scan check conducted by any entity authorized by the California Department of Justice to perform Live Scan fingerprinting services in accordance with the Department of Cannabis Control CCR Title 4, Division 19, as may be amended. Live scan results must be submitted to, reviewed, and approved by the county executive office ~~sheriff~~ prior to the proposed change. ~~Once the sheriff has approved the new person's criminal history and before~~ Before the new person engages in any activity related to the cannabis business license, the licensee shall obtain ~~submit this approval and provide along with~~ the new person's contact information to the county executive office.

...

SECTION 4. Except as amended by this Ordinance the Santa Barbara County Code shall remain unchanged and shall continue in full force and effect.

SECTION 5. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 6. This Ordinance shall take effect and become operative 30 days from the date of its adoption by the Board of Supervisors. Before the expiration of 15 days after its passage a summary of it shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara Independent and in the Santa Maria Times, newspapers of general circulation published in the County of Santa Barbara.

SECTION 7. Cannabis activities already are highly regulated by both the state and federal governments, and their regulation of cannabis activities is subject to rapid changes. Even if the Board of Supervisors adopts this Ordinance, the Board of Supervisors retains all of its statutory authority concerning cannabis activities. For example, even if the Ordinance becomes operative, the Board of Supervisors still may take action(s) later to change the zoning and/or

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licensing of cannabis activities to being prohibited. Changing the zoning and/or licensing of cannabis activities to being prohibited, could occur -- for example, but is not limited to -- if: 1) the County Treasurer is not able to deposit cannabis-related funds in a suitable financial institution; and/or 2) the Board of Supervisors submits a proposed County tax on commercial cannabis activity to the voters and the voters do not approve the tax. In part because cannabis activities are highly regulated by both the state and federal governments and their regulation of cannabis activities is subject to rapid changes, the Board of Supervisors later may need to change the zoning and/or licensing of cannabis activities to being prohibited and may need to do so without cannabis activities receiving: 1) an amortization period; and/or 2) legal nonconforming use status.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 23rd day of June, 2026, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

BOB NELSON, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:
MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:
RACHEL VAN MULLEM
COUNTY COUNSEL

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By _____
Deputy County Counsel