

General Commercial Cannabis FAQs – County of Santa Barbara

Q: May I grow cannabis commercially without a license?

A: No!

Q: May cannabis for personal use be grown outdoors in Santa Barbara County?

A: Each city is different, but cannabis in the unincorporated areas of Santa Barbara County must be grown indoors, in the main areas of the residence, by persons 21 years of age or older. Cannabis may not be grown in a garage. Please contact your local municipality to clarify ordinances that govern your specific city. For information on the County's regulations, refer to SBCO Chapter 35.42.075(B)(2).

Q: How long does it take the Sheriff's Office to complete the site security and background check components of the business license application?

A: It depends on the degree of detail provided on the site security plan and prior preparation by the applicant. Our goal at the Sheriff's Office is to streamline the process and efficiently move operators through the licensing process. Proper preparation and consultation by security professionals is critical in helping Sheriff staff perform their reviews in a timely manner.

Q: May I submit my site security plans to, or consult with, the Sheriff's Office prior to submitting my business license application to the CEO's office?

A: No. The Sheriff's Office licensing team is not permitted to provide business license services to an applicant, until the application has been formally submitted to the CEO's office and a deposit fee has been paid. Simple questions are welcome, but we will not review the application or plans until an application has been submitted and officially accepted by the CEO's office.

Commercial Cannabis Site Security FAQs – County of Santa Barbara

Q: What type of fencing is required for a commercial cannabis cultivation site?

A: This can be an overwhelming and complicated question. To keep it simple, fencing can be classified into two types: (1) security fencing, which is required for cultivation premise areas, and (2) perimeter fencing, which is used to secure property boundaries. Cultivation is defined by county ordinance chapter 35.110.20, as any activity where cannabis is planted, grown, harvested, dried, curried, trimmed or stored. Therefore, security fencing is required to be around those cultivation areas. This can be accomplished by way of a security fence around the perimeter of the property, or around the specific cultivation areas; we don't require both. The options are site specific and to be decided by the operator and/or a

professional security consultant. The ultimate goal is to work within the requirements set forth in SBCO 35.42.075(C)(2) and provide a barrier that will deter and delay intrusion.

Q: What is the minimum height for security fencing for commercial cannabis cultivation?

A: The security fence shall be a minimum of six feet tall, of material that deters and delays intrusion, and that complies with fencing regulations as outlined in SBCO 35.42.075(C)(2) and 35.30.070. Operators may opt to implement security fencing taller than six feet, or exceed the minimum, but permits may be required by the Planning & Development Department.

Q: What would the ideal security fence look like?

A: A sturdy security fence should not detract from the property, be a minimum of six feet tall, and be of a material to deter or delay intrusion. The access points must be lockable, and there would be suitable and applicable lighting and video surveillance mounted to, and/or within the fence line and access points. Fixed, downward facing and shielded lighting would be affixed to all access points and operate in a low power mode until motion is detected. All other lighting for this area would be motion activated and be a combination of solar or hardwire depending on location and security risks. The purpose is to provide a secure area for cultivation, without detracting from the appearance of the property, or in such a manner as to create a neighborhood nuisance. Our goal is to have a blended approach to security and aesthetics.

Q: Do I need to have cameras or lighting installed inside the "hoop houses" used for plant cultivation/propagation only?

A: No! In fact, power is prohibited in all hoop houses, as is any lighting. Therefore, any operator wishing to install these items within these structures must first coordinate with the Planning and Development Department. Security / Camera coverage of these areas can be accomplished by installing cameras or lighting outside, in a manner to cover the most area per device.

Q: How much security lighting do I need?

A: The need for security lighting is specific to each site and really just depends. At a minimum, hardwired lighting, that is downward facing and shielded, is required at all entry points. The lighting may be dim lit and motion activated bright light.

Hardwired, motion activated lights should be used when possible on all structures with existing power, or where feasible.

Commercial grade motion activated solar lighting, of a reputable manufacturer, may be used to augment dark areas or access points on the property for the purposes of detecting and deterring intruders.

Lighting should complement the security plan, and should not be excessive or create a neighborhood nuisance.

Q: What type of security do I need for limited access areas?

A: Sensitive areas used for storage of finished cannabis and currency is a common target among thieves. Therefore, the County of Santa Barbara requires a robust system of security to deter and/or delay intruders into this area. Requirements for limited access areas vary, but as a general rule, require:

- Commercial grade non-residential locks on all doors.
- Sufficient security cameras to cover all areas and provide identification of personnel inside.
- Proper third-party monitored security alarm, with duress capability.
- Color coded and limited access badges issued to essential personnel.
- Policies and procedures, as well as adequate signage to address loitering and designated areas that may or may not be used for business related activities (no lunch rooms or meeting space).

Q: Do office spaces require camera coverage?

A: This is discretionary. As a rule, if there is no product or large sums of money stored in the work space, then cameras are not required. However, that doesn't mean they are prohibited. Alarms systems are highly recommended in this area, not only for after hour security, but as a failsafe should something occur somewhere else on the property.

Q: What type of surveillance & security system do I need?

A: At a minimum, we require the following:

- Cameras shall be of commercial quality and of a reputable manufacturer. As a general rule, they shall be hardwired and permanently affixed.
- Perimeter cameras, at a minimum, should provide coverage of all cultivation areas.
- Cameras required within 20 feet of dedicated entry and exit points.
- Entrance cameras should show enough detail to identify people, vehicles and license plates.
- DVR's shall be continuously recording, 24/7, accessible remotely, retain a minimum of 45 days of stored video, 1280 x 720 pixels, record 15 FPS, accessible from the internet with remote reviewing, and capable of providing the County with a unique login and password for compliance.
- Limited access areas (used for storage of finished cannabis, money or other valuables) require interior and exterior cameras, of good quality and proper placement.
- Video/network storage area needs to be monitored by sufficient security camera(s).
- Alarms systems required for limited access areas, at a minimum, and can be used in conjunction with security.

Q: May I use motion activated or battery powered cameras?

A: No, these cameras do not meet the requirements as noted above.

Q: Am I required to have security personnel on site?

A: Security personnel is highly recommended for entry control and deterrence. Security personnel can be used to augment security plans with random patrols, to cover weak or difficult-to-secure areas of a property. Keep in mind, anyone working on a cannabis site is required to be over the age of 21.

Commercial Cannabis Background Checks FAQs – County of Santa Barbara

Q: What criminal offenses are disqualifiers for cannabis employment in Santa Barbara County?

A: As a general rule, the County uses the rules established by the California Department of Food and Agriculture, Cannabis Division, and Bureau of Cannabis Control. Additionally, the County also evaluates prior bad acts related to fraud and deceit, as well as others. For a complete list of disqualifiers, please refer to section 26057 of the California Business and Professions code, as well as Santa Barbara County Cannabis Business License Ordinance Chapter 50-17.

Q: Who is required to have a background check?

A: State law and County ordinance requires all owners, operators, stakeholders of 20% or more, managers and supervisors to be Live-Scanned. County ordinance requires all cannabis employers to complete background checks, equivalent to Live Scan, on all employees. These background checks are to be completed and maintained by the employer and subject to inspection by the Cannabis Compliance Team before an ID card will be issued.

Q: Where can I go for the Live Scan service?

A: Only Live Scans completed by the Compliance Team will be accepted for those requiring this service. Live Scans will be conducted during initial application and renewals. To schedule an appointment or to ask a question, please contact (805) 681-4364.

Q: May I have my employees Live Scanned instead of using a third-party background service?

A: Absolutely! Employers may complete employee background requirements by using third party service, or by using Live Scan. However, if opting for the Live Scan service, it must be completed by the Sheriff's Office Cannabis Compliance Team. Priority for Live Scan is given to those requiring it.

Q: What type of backgrounds are required for cannabis employees?

A: Background checks are required to be equal to, or greater than, the checks provided by Live Scan. Live Scan conducts a criminal history query utilizing State and Federal databases. Third-party services suffice, but the resulting records must be maintained by the employer.

Q: Will we be notified of any disqualified personnel for employment?

A: Yes. If conducting the required Live Scan, the Cannabis Compliance Team will inform the applicant of any issues or requests for additional information. With regards to employees, the Sheriff Team will identify and report any disqualified employees to the applicant.

Q: What happens after the background check?

A: Once eligibility is verified, the Sheriff's Office Cannabis Compliance Team will create and issue identification cards for eligible employees, to the applicant. The photographs for these ID cards will be obtained during the Live Scan service. No personally provided photographs will be used.

Q: What about employees who didn't complete the Live Scan?

A: The Team will make arrangements to photograph employees and place their information into our system for later use during the renewal process, or if employment is sought elsewhere. We will verify the identities of personnel prior to photographing and will then create an ID card.

Q: Are identification cards required?

A: Yes, according to the rules and provisions of the County Business License ordinance and other regulations, ID cards are required to be worn by eligible employees while on the approved cannabis property. These ID cards are for use while on the property, and do not constitute a legal form of ID.

Q: I plan on using a third-party labor contractor, or seasonal employees. Do they need background checks?

A: The simple answer is yes. Background checks are required to be completed for any and all employees, regardless if they are your employees or have been contracted, since they will be working on a cannabis site.

Q: Will seasonal employees or contract labor be required to complete a background for each work site?

A: No, a qualified background should only be conducted once. However, the following general rules apply:

- For seasonal employees, the records are to be maintained and an ID card, if qualified, will be issued for their term of employment (not to exceed one year, or the duration of

the site's business license, whatever is less) – the same procedure that applies to regular employees.

- For third-party labor contractors, it is best practice for the contractor to conduct the background check services and to make available the background check results to the employer and the Sheriff's Office Cannabis Compliance Team. Each background check will be evaluated and eligible employees will be photographed and their temporary ID cards provided to the site they are working at. For sites that change day to day, arrangements will be made to accommodate all parties. Please contact the Sheriff Team at 805, (805) 681-4364 with any questions or to schedule a background review.

Q: May I have the Sheriff's Office Live Scan everyone?

A: Yes, arrangements may be made for this service either individually or for multiple individuals. Simply put, this is the best and most efficient procedure for meeting the background check requirements of all subjects requiring background checks and who work on a cannabis site. Once completed, the process for renewals, ID card services or background check updates becomes much easier.