

# Cannon Beach's zoning code would limit retail pot sales

## Outlets would be few and far between

By NANCY McCARTHY  
For EO Media Group

CANNON BEACH — Even if the Cannon Beach City Council decides to allow retail marijuana outlets in town, there would be few locations available for them.

The council will discuss the issue at the council meeting 7 p.m. Tuesday in City Hall. If the council decides not to allow retail outlets, the issue must be submitted to voters, according to state law. The vote would occur next November.

City Planner Mark Barnes told the City Council during January's work session that only the city's limited commercial zone would allow a recreational or medical dispensary or retail store as an outright use that could be permitted

without a public hearing.

Other zones would require a conditional use permit, which means the applicant would have to appear before the city's Planning Commission to receive approval.

The city has three areas with the commercial zone: downtown, midtown and Tolovana Park. The area covered by this zoning includes 28.4 acres and 114 lots.

Marijuana grow operations probably would be allowed under the city's general commercial zone, which permits "plant nurseries," Barnes said. Cannon Beach's only general zone is on the east side of U.S. Highway 101. The zone covers 5.2 acres and includes the city's public works yard, a Pacific Power substation, Cannon Beach



Mark Barnes

Business Park and Coaster Construction. Expansion of the zone would require the council to approve amendments to the city's zoning ordinance.

Marijuana-related businesses — stores that sell paraphernalia but not marijuana — would be outright uses in both zones, according to Barnes.

"They could be approved administratively, unless someone goes into an existing building and makes exterior changes," Barnes added. "The changes would go to the design review board, and there would be a public hearing to determine whether the changes meet regulations. We have a pretty tightly written sign code."

The Oregon legislation that makes it legal to possess, grow and sell marijuana, prohibits medical mari-

juana dispensaries and recreational marijuana retailers and wholesalers within 1,000 feet of a school. This would include private and public schools where attendance is mandatory.

Because Cannon Beach doesn't have a school, the buffer wouldn't apply. However, once the proposed Cannon Beach Academy charter school opens, the buffer would go into effect and engulf all of midtown.

The law allows cities to impose other buffers. If 1,000-foot buffers are placed at the beach and around all of the parks would eliminate all possible locations for marijuana outlets west of the highway.

City Councilor George Vetter asked Barnes if the city could select certain parks to buffer.

"We would have to make some logical explanation about why we treated one differently than another — a playground

vs. the beach, for instance," Barnes said.

During the discussion, Vetter suggested that the council should "not take further steps to stop this."

Because local voters overwhelmingly voted to legalize marijuana use, the Oregon Liquor Control Commission will regulate the sales and Cannon Beach is so small, "I'm not convinced we need to do anything," Vetter said.

"I'm not sure this town can support a year-round business, and I don't see that we should spend too much time on this," he added.

But Mayor Sam Steidel said a buffer should be put in place to "protect us" if the council allows marijuana sales in town.

City Councilor Mike Benefield expressed concern that marijuana outlets would impact the "character of the town."

"I'm not sure that people who voted to decriminalize

marijuana envisioned stores on the street," Benefield said.

Councilor Melissa Cadwalader suggested that the council decide which locations the outlets should be limited to and then let them be subject to state regulations.

Steidel noted that the city's business license regulations prohibit sales of items banned by federal law, including marijuana.

City Manager Brant Kucera asked the council if it wanted to change the business license. Leaving it alone, at least until the courts rule on the question, would provide "perfectly good protection right there," Kucera said.

"It's all or nothing," Kucera told the council. Not changing the business license "would ensure that nothing (marijuana stores) gets put in."

However, he added, if even only one retail outlet is allowed, the language regarding the federal law would have to be changed.

## Oregon lawmakers battle the ballot

By KRISTENA HANSEN  
Associated Press

SALEM — The 2016 legislative session officially kicks off Monday, but don't be fooled by the mere 35-day length. Multiple proposals are in the pipeline that would have sweeping effects on Oregonians.

The Republican minority has been especially vocal about concerns that there isn't enough time to solve big issues. While many Democrats agree, they say a number of ballot measures proposed for November are forcing them to act.

Those ballot proposals are also some of Oregon's biggest political issues for 2016, and they'd change everything from how much money people earn and the taxes they owe, to how much they pay to keep their homes warm — and even where they buy booze.

A look at the ballot proposals, alternatives and what's at stake:

### Minimum wage

**Ballot Proposals:** Two separate initiatives, backed by labor groups, take similar approaches to raising the statewide \$9.25 hourly minimum wage. "Oregonians for 15" wants a \$15 per-hour minimum by 2019, while "Raise the Wage" seeks \$13.50 by 2018. Wage increases under both proposals would be statewide and implemented gradually, starting January 2017.

**Lawmakers' Alternative:** Gov. Kate Brown's proposal is touted as an urban-rural compromise, and she made last-minute tweaks on Friday that would raise wages six-months sooner than initially planned but the increases overall would be smaller. In July, the minimum would go up slightly to \$9.75 statewide. By 2022, the Portland area's minimum would be set at \$14.50 and the rest of the state at \$13.25.

**What's At Stake:** Higher wages for low-income households, especially in metro Portland where living costs are soaring, and heavier burdens on smaller businesses and communities, particularly in rural areas where local economies still are struggling.

**Bottom Line:** Even if lawmakers pass a minimum wage package next month, there are no guarantees the two labor groups, which have already been critical of certain elements of Brown's proposal, will drop out from the November ballot.

### Corporate taxes

**Ballot Proposal:** Initiative Petition 28, a union-backed proposal, would raise the tax that large corporations pay annually on their gross sales receipts — meaning, their business activity — in Oregon. A business would owe a minimum \$30,000-tax if its annual sales reach

\$25 million, plus another 2.5 percent on any sales above that threshold.

**Lawmakers' Alternative:** There isn't one yet, at least not officially. Sen. Mark Hass, D-Beaverton, who's been spearheading an alternate proposal, plans to release details Monday.

**What's At Stake:** A roughly \$2.6 billion-annual boost in corporate tax collections for the state if voters pass I-28. While that extra cash would offer much-needed help to public education, health care and senior services, opponents say the costs to private-sector jobs and, ultimately, consumers far outweigh the benefits.

**Bottom Line:** Unions and businesses have waged bitter fights over corporate taxes before, and this year will likely be no different. So far, unions appear hard-pressed to go to the ballot regardless, leaving business groups to focus all energy on blocking the measure entirely and lawmakers without anyone at the negotiating table to find a compromise.

### Renewable energy

**Ballot Proposals:** There are four separate, yet similar coal-to-clean initiatives proposed by Renew Oregon, a consortium of environmental groups. Each initiative requires Oregon utilities to phase out coal power by 2030 and mandates that half of the energy served to customers come from renewables by 2040, double the current standard. Beyond those core principals is where the initiatives differ. One proposal, for instance, would tie utility executives' salaries to compliance, while another would boost energy efficiency standards for newly built homes and buildings.

**Lawmakers' Alternative:** House Bill 4036 is the alternative package negotiated behind closed doors between Renew Oregon backers and the state's two largest utilities, Pacific Power and Portland General Electric. The bill would only apply to Pacific Power and PGE. Goals for coal elimination and renewable energy would be the same, but the utilities would have more flexibility in the coal-to-clean transition.

**What's At Stake:** The ultimate goal is combatting the effects of climate change, but state utility regulators aren't convinced the negotiated bill effectively accomplishes that. Utility regulators are also concerned Oregonians would see a huge spike in electricity costs. Others at the Legislature are concerned that pushing through a massive overhaul to Oregon's energy supply during a 35-day session is a public disservice.

**Bottom Line:** If lawmakers fail to pass the negotiated proposal, Renew Oregon has been adamant about going to the November ballot.

## Seafood industry rebrands 'trash fish'

By PATRICK WHITTLE  
Associated Press

PORTLAND, Maine — Call them fish sticks for millennials. At any rate, Dana Bartholomew is banking on college students warming up to "Sharck Bites."

Ipswich Shellfish, of Massachusetts, for which Bartholomew oversees sales, is offering that product — nuggets of dogfish coated in a gluten-free, allergen-friendly crust. Bartholomew, who believes so-called "trash fish" such as dogfish are part of the new wave in New England seafood, already has a couple of colleges on board.

Bartholomew's fondness for dogfish — a species of shark that East Coast fishermen catch millions of pounds of every year and sell for just pennies at the dock — is part of a growing trend in fish markets around the country. The industry is putting more emphasis on fish that have traditionally lacked market appeal or economic value as old staples — such as cod, tuna, haddock and shrimp — decline or become the subject of tougher fishing quotas.

"We know we have to make a great-tasting product that supports local fishermen, supports the local industry and economy," Bartholomew said. "And it's local — it's right here."

New England's traditional food fish has long been the Atlantic cod, but it has faded in the face of overfishing and environmental changes. Restaurant owners, fishermen and food processing companies said a growing shift to other species is helping to fill that void. Catch of species such as spiny dogfish, Acadian redfish and scup have all increased dramatically since 10 years ago as cod has fallen.

The shift toward trash fish reflects a broader trend in U.S. seafood toward species that are more abundant. Florida fishing regulators, for instance, have incentivized the hunt for invasive lionfish, which many view as pests. Elsewhere, the Jonah crab has also found acceptance as an alternative to the West Coast's popular Dungeness crab.

The evolution of food from trash to delicacy goes back centuries. Many species have overcome an ugly name or grotesque appearance to grow in value. Lobster, for instance, was long ago regarded as food fit only for the lower classes.

Seafood marketers have also had to contend with health risks that have kept some species off plates. Dogfish, for instance, can contain high mercury levels, and pregnant women and young children should avoid eating them.

Creating a market for underutilized fish species is important in New England today because of warming waters and corresponding changes in fish populations, said Melissa Bouchard, chef at the popular DiMillo's On The Water restaurant in Portland.

"We're trying to get the focus off of cod and haddock and Northern shrimp and bring to light all these species in the



Robert F. Bukaty/AP Photo

**Redfish are displayed at the Portland Fish Exchange in Portland, Maine. Fishermen are being forced to start adapting more quickly to changing fish stocks in ocean and market new species based on what is available. As a result, more former "trash" fish such as redfish, dogfish and skate are the wave of the future in sustainable fishing.**

Gulf of Maine that are delicious and abundant," Bouchard said.

She served dogfish tacos at a festival in food-crazy Portland and they were well received, she said.

The movement toward trash fish is not without skeptics, some of whom point to sustainable harvesting programs for fish that already have broad market appeal. Ray Hilborn, a marine biologist with the University of Washington, said the push is unnecessary from a sustainability point of view.

"If they truly believe that traditional species are not sustainable, then they don't know much and have not looked very hard," Hilborn said. "There is plenty of cod, haddock, salmon, tuna and shrimp in the world that is sustainably harvested."

But Azure Cygler, a fisheries specialist with the Coastal Resources Center at the University of Rhode Island, said the shift toward what toward what she called "underloved" species is critical for sustaining fisheries and providing local protein sources in New England.

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