

Pot shop: Vote was unanimous but tentative

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In October, the Planning Commission approved the medical-recreational marijuana business, provided that the owners mitigate odors, develop a security plan with the Astoria Police Department and meet other conditions.

But Heather Hansen, who lives at Cannery Lofts, said in an appeal that a pot shop is not appropriate for the property or compatible with the neighborhood. The Planning Commission and the city staff evaluation, she said, did not address the fact that dozens of residents share the complex.

"How can a decision-maker determine whether the proposed use is suitable or compatible without evaluating the impact to the 30 residences in the same building and the 33 residences next door?" said Hansen, Clatsop County's community development director.

Astoria has five marijuana dispensaries, three grow sites and two pending retail locations. West would have been the first marijuana store in the city to share a building with residents.

'Not appropriate'

A handful of condominium owners urged the Planning Commission to reject West in October, citing con-



Arline LaMear



Zetty Nemlowill



Cindy Price



Russ Warr

cerns about parking, security and vagrancy. More than 30 signed a petition opposing the store.

Except for Commissioner Frank Spence, however, the commission decided that, because West would be classified as a non-tourist retail store, the owners would be using the space as it was intended.

City Councilor Zetty Nemlowill said the housing element should have been given more weight in the findings of fact and the Planning Commission's deliberations.

Mayor Arline LaMear and Councilor Cindy Price agreed. "Certainly the residents — the great majority of the residents — feel that this is not appropriate," Price said.

She and Nemlowill said that housing-related sections of the comprehensive plan should be considered, including the need to protect neighborhoods from incompatible uses and maintain their attractiveness and livability.

Price said the reason the

City Council is having to wade into these complex code issues, which generate such wide disagreement, is that the city has not examined marijuana policy in the wake of legalization.

"It's just one of several problems that have come before us because we have not taken the time to discuss any sort of regulation about retail sales of marijuana, whereas other cities have," Price said.

She said the council should take a close look at city policies regarding retail marijuana in the near future.

City Councilor Russ Warr, who typically does not vote for bans based on personal taste, took a new tack.

"In all of my time on the City Council, I have tried to vote only the facts and the rules and that sort of thing," he said, "and in this case, since this is my last vote, I'm going to permit myself an absolutely emotional vote."

Warr — the councilor for Ward 4, where the Cannery Lofts condominiums

are located — considered the plight of the condo owners, who have had to pay thousands in repairs, largely because of poor construction.

"I believe that most condo units similar to that one do not contain retail space that is owned outside of the homeowners association, and so under most conditions the homeowners don't get a voice," he said, "and I think it's time for them to have a break."

'Residents have spoken'

The council's vote was unanimous but tentative.

Next week, the council will hold a final vote on the revised findings during a special meeting. The four councilors wanted to put the matter behind them before the two incoming councilors, Bruce Jones and Tom Brownson, join the council in January.

Daryl Bell, one of the owners of West, said after the vote that he probably won't appeal the decision to the state Land Use Board of Appeals.

"I think the residents have spoken loud and clear," he said. "And, quite honestly, realizing that there's that kind of opposition just doesn't sit well with me ... We don't want to be where we're not wanted, certainly, to the extent that they expressed tonight."

Police: Truck attack that killed 12 people in Berlin 'intentional'

Associated Press

BERLIN — The driver who rammed a truck into a crowded Christmas market in the heart of the German capital, killing at least 12 people and injuring nearly 50, did so intentionally, police said today. Chancellor Angela Merkel said authorities believe it was a terror attack.

The truck smashed into the popular Christmas market filled with tourists and locals outside the Kaiser Wilhelm Memorial Church

near Berlin's Zoo station late Monday.

"Our investigators are working on the assumption that the truck was intentionally driven into the crowd at the Christmas market on Breitscheidplatz," Berlin police said on Twitter.

Merkel said she was "shocked, shaken and deeply saddened."

"There is still a lot that we don't know about this act with sufficient certainty," she told reporters. "But we must, as things stand, assume it was a terrorist attack."

Herbicide: State will take public comment until Feb. 3

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Ecology that 10-meter buffers were adequate to prevent harm to the native eelgrass.

The state Department of Natural Resources and Department of Fish and Wildlife suggested studying more sites.

Lubliner said the Department of Ecology may consider that suggestion when

the permit is due to be reviewed in 2019.

The state will take public comment until Feb. 3 on its proposal to allow spraying to continue.

The Department of Ecology will hold public hearings 1 p.m. Jan. 24 at the department's headquarters in Lacey and at 10 a.m. Jan. 26 at the Willapa Harbor Community Center in South Bend.

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THE DAILY ASTORIAN

Evening listings
TUESDAY

TUESDAY EVENING													DECEMBER 20		
A - Charter Astoria/ Seaside - L - Charter Long Beach															
A	L	6 PM	6:30	7 PM	7:30	8 PM	8:30	9 PM	9:30	10 PM	10:30	11 PM	11:30		
2	KATU	(2) KATU News at 6		Jeopardy!	Wheel of Fortune	Toy Story	Shrek the Halls	The Year: 2016 A look at the most memorable moments of the year. (N)		KATU News at 11	(35) Jimmy Kimmel				
3	KOMO	(4) KOMO 4 News		Jeopardy!	Wheel of Fortune	Toy Story	Shrek the Halls	The Year: 2016 A look at the most memorable moments of the year. (N)		KOMO 4 News	(35) Jimmy Kimmel				
4	KING	(5) NBC Nightly News	KING 5 News	KING 5 News	Evening	Michael Bublé Sings and Swings (N)	Tony Bennett Tony Bennett celebrates his 90th birthday. (P) (N)	KING 5 News	(35) Tonight Show						
6	KOIN	(6) KOIN Local 6 at 6	CBS Evening News	Extra	Ent. Tonight	NCIS "Rogue"	Bull "Just Tell the Truth"	NCIS: New Orleans "Blue Christmas"	KOIN 6 News @ 11	(35) S. Colbert					
7	KIRO	(7) KIRO 7 News	CBS Evening News	The Insider	Ent. Tonight	NCIS "Rogue"	Bull "Just Tell the Truth"	NCIS: New Orleans "Blue Christmas"	KIRO News	(35) S. Colbert					
8	KGW	(8) KGW News at 6:00 p.m.		Live at Seven	Inside Edition	Michael Bublé Sings and Swings (N)	Tony Bennett Tony Bennett celebrates his 90th birthday. (P) (N)	KGW News at 10	Two and a Half	Two and a Half	Met Your Mother				
9	KRCW	(3) Last Man Standing	Last Man Standing	Modern Family	Modern Family 1/2	Terry Crews "Reynolds Family" (P) (N)	Holiday Commercials	KGW News at 10	Two and a Half	Two and a Half	Met Your Mother				
10	KOPB	(10) Ask-Old House		PBS NewsHour		Mormon Choir	Happy Holidays With the Boston Pops	Frontline "From Jesus to Christ: The First Christians"							
12	KPTV	(12) 6 O'Clock News		Family Feud	Family Feud	Ice Age Christmas	New Girl	Scream "Drain the Swamp" (SF) (N)	10 O'Clock News		11 O'Clock News	2 Broke Girls			
13	KPDx	(13) Mike & Molly	Mike & Molly	Big Bang Theory	Big Bang Theory	Big Bang Theory	FOX 12's 8 O'Clock News on PDX-TV	FOX 12's 9 O'Clock News on PDX-TV	Family Guy	Family Guy	American Dad	Cleveland Show			
13	KCPQ	(13) Modern Family 1/2	Modern Family	Big Bang Theory	Big Bang Theory	Ice Age Christmas	New Girl	Scream "Drain the Swamp" (SF) (N)	Q13 News at 10		Q13 News	The Simpsons			
20	TBS	(20) Seinfeld	Seinfeld	Seinfeld	Seinfeld	Big Bang Theory	Big Bang Theory	Big Bang Theory	Big Bang Theory	Big Bang Theory	Conan (N)	Friends			
22	KZJQ	(22) Two and a Half	Two and a Half	Last Man Standing	Last Man Standing	Modern Family	Modern Family 1/2	Q13 News at 9	Big Bang Theory	Big Bang Theory	Friends	Friends			
29	ESPN	(29) (4:00) NCAA Football	Boca Raton Bowl Mem./W. Kent. (L)	SportsCenter	The day's news in the world of sports.			SportsCenter			SportsCenter				
30	ESPN2	(30) NCAA Basketball	Maine vs. Arizona State (L)			E:60 Profile (N)	Fantasy Football	Nación ESPN	Jalen & Jacoby (N)	NFL's Greatest	NFL Live				
31	NICK	(31) Henry Danger	Henry Danger	The Thundermans	The Thundermans	SpongeBob	SpongeBob	Full House	Full House	Full House	Friends	Friends			
32	DISN	(32) Liv Maddie Cali	Stuck in Middle	To Be Announced	Descents Holiday		K.C. Undercover	Girl Meets World	Bunk'd	The Lodge	Liv and Maddie	Austin & Ally			
34	FAM	(34) (5:35) Without Santa	(40) *** National	Lampoon's Christmas Vacation ("89) Chevy Chase.		(50) *** The Santa Clause (1994, Comedy) Judge Reinhold,	Wendy Crewson, Tim Allen.				The 700 Club				
35	FMC	(35) (4:00) 2012 (2009, Action) John Cusack.	(10) *** 2012 (2009, Action) Amanda Peet, Thandie Newton, John Cusack.							(20) FXM Presents *** Gravity (2013, Thriller) George Clooney, Sandra Bullock.					
36	LIFE	(36) Grey's Anatomy	Grey's Anatomy	Grey's Anatomy	Grey's Anatomy			Dance Moms (N)		Knocked Up "Akiitha" (N)	To Be Announced				
38	ROOT	(38) Halls of Fame (N)	Mark Few (N)	DFL Soccer Hamburger SV at FSV Mainz				DFL Soccer Bayern Munich vs. SV Darmstadt 98			Mark Few	AMA Supercross			
39	F51	(39) (5:30) NCAA Basketball	Maine vs. Providence (L)	Fox College Hoops	Fox Sports Live	TMZ Sports (N)		Speak for Yourself		Skip and Shannon: Undisputed Opinions on the biggest sports topics of the day.					
43	SPIKE	(43) Movie	*** The Book of Eli (2009, Adventure) Gary Oldman, Mila Kunis, Denzel Washington.					*** The Shawshank Redemption (1994, Drama) Morgan Freeman, James Whitmore, Tim Robbins.							
44	COM	(44) Futurama	Futurama	Futurama	Futurama	Tosh.0	Tosh.0	Tosh.0	Tosh.0	Tosh.0	Tosh.0	Daniel Tosh: People Pleaser			
45	HIST	(45) Counting Cars	Counting Cars	Counting Cars	Counting Cars	Counting Cars	Counting Cars	Counting Cars	Counting Cars	(05) Motors	(35) Motors	(05) Counting Cars			
46	A&E	(46) The First 48		Intervention "Kristie"	Intervention "Kevin" (N)			Intervention "Sturgill 1" (N)		L. Remini "A Leader Emerges" (N)	(05) Remini: Scientology				
47	TLC	(47) Long Lost Family		Little People "What's a Lamping?" (N)	Little People "Zombie Apocalypse" (N)			OutDaughtered (N)		Kate Plus Eight "Gosselins in Space" (N)	OutDaughtered				
48	DISC	(48) Moonshiners		Moonshiners: Outlaw Cuts (N)	Moonshiners (N)			Moonshiners (N)		Homicide Hunter "A Killer Haunts" (N)	Moonshiners				
49	NCGO	(49) Continent 7: An. "Take Your Best Shot"	Continent 7: An. "Science of Survival"			Life Below Zero "Higher Ground"		Life Below Zero "Andy Bassich"		Continent 7: Antarc. "Race to Escape"	Life Below Zero "Andy Bassich"				
50	TNT	(50) Movie	*** Wedding Crashers (2005, Comedy) Vince Vaughn, Rachel McAdams, Owen Wilson.					Behavi. "The Ballad of Little Santino" (N)		Behavi. "The Ballad of Little Santino" (N)	Castle "Time Will Tell"				
51	AMC	(51) *** Deck the Halls ('06, Comedy) Matthew Broderick, Kristin Davis, Danny de Vito.		*** Four Christmases ('08, Com) Reese Witherspoon, Robert Duvall, Vince Vaughn.				*** Sweet Home Alabama ('02) Candice Bergen, Josh Lucas, Reese Witherspoon.							
52	FOO	(52) NCIS "Bounce"		NCIS "Royals and Loyals"		WWE Smackdown! WWE superstars do battle in long-running rivalries.		Shooter "Killing Zone" (N)		Shooter "Killing Zone" (N)	Incorporated "Human Resources"				
53	USA	(53) Chopped		Chopped		Chopped Junior "Got Elk?" (N)		Chopped "Brunch Boxes"		Chopped "New Year's Bash" (N)	Chopped "Brunch Battle"				
54	HGTV	(54) Fixer Upper		Fixer Upper		Fixer Upper		Fixer Upper		House Hunters	House Hunters	Fixer Upper			
56	FX	(56) *** Madagascar 3: Europe's Most Wanted ('12) Ben Stiller.		*** Hotel Transylvania ('12, Ani) Kevin James, Andy Samberg, Adam Sandler.		*** Hotel Transylvania ('12, Ani) Kevin James, Andy Samberg, Adam Sandler.		*** Hotel Transylvania ('12, Ani) Kevin James, Andy Samberg, Adam Sandler.		Anderson Cooper 360	CNN Tonight With Don Lemon				
57	CNN	(57) CNN Special Report		CNN Tonight With Don Lemon		CNN Tonight With Don Lemon		CNN Special Report		CNN Tonight With Don Lemon					
58	FNC	(58) The Kelly File With Megyn Kelly		Hannity		The O'Reilly Factor		The Kelly File With Megyn Kelly		Hannity	On the Record				
61	CNBC	(61) Shark Tank		Shark Tank		Shark Tank		The Profit in Cuba		The Profit "Los Gemelos"	Paid Program	Paid Program			
63	BRAV	(63) Real Wives Dallas	"The Full Nelson"	Beverly Hills "Stronger Than Ever"		Beverly Hills Social (N)		Beverly Hills "Going Commando" (N)		Ladies of London (N)	Beverly Hills "Going Commando"				
64	TCM	(64) Movie	(45) *** The Old Man and the Sea ('58) Harry Belafonte, Spencer Tracy.			*** Death of a Salesman (1985, Drama) Charles Durning, Stephen Lang, Dustin Hoffman.					The Sunshine Boys Walter Matthau.				
65	SYFY	(65) *** Tremors (1990, Horror) Fred Ward, Michael Gross, Kevin Bacon.		*** Salt (2010, Action) Liev Schreiber, Chiwetel Ejiofor, Angelina Jolie.				Aftermath "Whispers of Immortality" (N)		Aftermath "Whispers of Immortality" (N)	Lake Placid (1999, Action) Bill Pullman.				
102	RFD	(102) (5:30) Cattlemen	LandLeader TV	Downunder Horseman.		Chris Cox	Rural Eve. News	Ag PhD	Cattlemen to Cattlemen		LandLeader TV	Product Showcase			

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