

Weather

MENDOCINO COUNTY: Mostly sunny with highs in the mid-upper 50s to mid-60s. Northerly winds 15 to 30 mph along the coast with lighter winds inland. Fair tonight with lows in the upper 30s and 40s. Decreasing winds. Sunny Wednesday with highs in the upper 50s and 60s.

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Salmon Creek debate raises spectre of building code wars

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Supervisors made it clear yesterday there will be no perpetual community at Salmon Creek Farm, a collectively-owned coast commune, but residents will have to wait two weeks for a final ruling from the board.

Supervisors said tentatively they expect to impose restrictions on sale and transfer of property at the commune, with the ultimate goal of abating all but two of the non-code structures.

But the board continued their decision pending further staff work and legal study following an afternoon hearing before roughly 70 onlookers at the Ukiah Veteran's Hall.

Salmon Creek is one of the first of the county's illegally-built communities to be reviewed under provisions of the general plan that allow non-code development to be "grandfathered-in" as a legal use.

The commune was granted a use permit to continue their

residency by the county planning commission last year, but the decision was sent back by the board for further review.

A second, scaled-down permit was issued, but was again challenged, prompting yesterday's hearing.

Residents of the community say they have minimal impact on the area's environment due to their small-scale development and land husbandry practices.

But some neighbors challenged Salmon Creek Farm's request for legalization as an assault on the legal processes established to direct land use and development in the county.

The debate brought into question the intent section of the general plan, written specifically to deal with the problem of an estimated 3,700 illegal, non-code homes dotting the ridges and rural valleys of the county.

Salmon Creek residents, who live in a community with 14 small homes and a few general-use community buildings spread across 24 acres on the southern slope of Albion Ridge, cited the

intent section in requesting legal status.

Their opponents challenged the request as a violation of other health and safety elements of the general plan, and said the intent section itself is illegal.

The debate drew impassioned appeals from both sides of the county's building code debate.

"Much has been made today about enforcement of the law," said Claude Steiner, founder of Round Mountain, a similar non-code community north of Ukiah.

"But building and zoning codes are not the only law of this land. There is also the bill of rights, which guarantees people the right to be safe and secure in their own homes."

"The question today is, have we got the tools?" said Cheryl Baker, an advocate for low-income housing.

"We all knew that the Greenfields and the Salmon Creeks existed when we went through the general plan — and we all said we were going to resolve them. If we don't have the tools to do (Continued on Page 2)

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that, we should change the plan today."

Opponents responded with appeals for strict code enforcement.

"I'm here today to ask you gentlemen to enforce the ordinances you and your predecessors have passed with an equal hand for all," said John Milvo, a coast businessman who opposed Supervisor Norman de Vall in last June's primary election.

"These problems are being approached upside-down — you're taking something that's

already illegal and trying to make it legal," added Albion Ridge resident Ed Way.

Supervisors agreed that intensive use on the rural, wooded slope presented a problem, and said that eventually the use should be abandoned.

"I want to tie the densities to ownership and abate the uses as the ownership changes hands," said Supervisor Jim Eddie.

"Eventually, we'll have to slow down the densities and reverse the practices there. I can't agree with the planning commission's recommendations," he said.

"I don't want to see any people displaced out of their houses," added Supervisor John Cimolino. "But when they move out, I want to do something about it. I don't care if it comes next year, in 10 years, in 20 years."

Supervisor Dan Hamburg worried that calls for abatement would rekindle the rural building wars that had been the focus of general plan debate.

"What this really calls for is the demise of the intent section. I feel like we're going back to square one."

Hamburg agreed, however, that the illegal uses should be abandoned as people move out of the commune.