

MENDOCINO COUNTY: Coastal fog or low clouds and sunny inland. Highs from the upper 50s to the 80s. Light winds. Coastal low clouds or fog tonight and far inland. Lows in the mid-40s to low 50s. Coastal fog or low clouds Wednesday and sunny inland. Highs in the upper 50s and low 60s along the coast to the 80s inland.

Salmon Creek residents vow to fight board ruling in court

By CHARLES RAPPLEYE
Journal Staff Writer

County supervisors set new policy on handling illegally built backwoods housing yesterday, attaching conditions preventing sale of houses at Salmon Creek Farm despite impassioned objections from more than 60 rural residents.

Salmon Creek is the first of an estimated half-dozen residential cooperatives in the county to come to the board for resolution of long-standing building and zoning violations.

A collection of 14 houses and "detached bedrooms" stretched along 28 acres on the south slope of Albion Ridge, Salmon Creek poses a fire hazard and a threat to resource use of the land and must eventually be abated, the board majority ruled.

Rather than immediately move people out of their homes, however, the board allowed abatement to take place over time by requiring that residential use of the detached bedrooms be abandoned when the present occupants leave.

The outlawed bedrooms can be replaced by additions on the farm's two legal structures, the board ruled.

Salmon Creek spokespersons at the hearing opposed the special conditions, and said they would appeal the board's decision in court.

The said they attorneys from the American Civil Liberties Union have already expressed interest in handling their case.

The board ruling, decided by a 3-2 vote, adds a new wrinkle to the general plan "intent sec-

tion," a clause designed to end the county's long-standing war with illegal owner-builders by granting them legal status.

That war has been dormant of late, but more than 60 backwoods denizens let supervisors know before the hearing began that it could flare up at short notice.

After a gathering and strategy session on the courthouse steps, the protesters moved into the boardroom. Following a speech by Albion Ridge resident Dianne Wiedeman, they broke into song.

"Well you say you don't want to hurt me, I can see you're not packing a gun,

So it's true you don't want to kill me, You just want to make me run, but

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"I'm not going. I'm into staying home. I'm not leaving, I'm into living in my home," the crowd harmonized.

The emotional appeal was backed by the county counsel, who opined that limits on density at Salmon Creek would require amending the general plan to alter the directive of the intent section.

But a board majority of Jim Eddie, Tom Crofoot and John Cimolino were adamant that some mechanism to eventually reduce densities on the ridge be put in place.

"What we're doing is adopting something which really counsel is telling us we can't adopt because of wording in the plan," Eddie worried.

But "The interest I have is in protection of the land's resource value and potential. You can't just scatter homes around 28 acres anyplace you want," he said later.

Supervisor Norman de Vall tried proposed compromise positions allowing changes in residency but forcing abandonment of residential use upon sale of the collectively-held property.

And board Chair Dan Hamburg argued against any restrictions on use beyond health and safety precautions, citing language in the plan.

"It's important that we stand behind the plan, not back off with the first tough case we hear," he said.

Supervisor Tom Crofoot offered a different interpretation of the intent section. "The intent section allow us to issue permits recognizing existing uses. But I don't think that says we have to recognize that use in perpetuity."

Other conditions passed by the board prohibit rental of any of the detached bedrooms, and any improvements for reasons other than safety.

The decision left the board bitterly split. Even an attempt by de Vall to have the Public Works Department review certain road improvement requirements was rejected on a 3-2 vote.

Incensed, de Vall blasted the board's decision as unconstitutional. "You can't ask someone to voluntarily sign away their rights to their home," he declared.

Salmon Creek neighbor Frank Creasey, who has opposed legalizing the commune since it came to the board last December, lauded the board's decision. "It accomplishes what we set out to do."

He said his neighbors fared as well as they could have hoped. "Salmon Creek is fortunate that the board was as compassionate as they were."

The board will review their decision again next week, allowing staff a chance to work out any technical problems with the special conditions.