

Watsonville prepares to continue annexation fight

By BOB LINNEMAN
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WATSONVILLE — A land-use consultant has armed Watsonville officials with ammunition to at least fight for the land it says it needs to support a growing city.

The consultant, hired by the city, said conditions attached to Watsonville's annexation proposal are illegal, setting up a possible lawsuit against the Local Agency Formation Commission.

The commission, which must approve any city expansion, earlier this month greatly limited the city's annexation proposal and attached three con-

ditions limiting any future proposals, including one in which the city would agree not to pursue any other annexation requests west of Highway 1 without prior approval from Santa Cruz County and the California Coastal Commission.

City staff has also written its own conditions, hoping it can reach some compromise with the commission, which is expected to adopt the conditions at its meeting today.

The commission could also grant the city's annexation request to add 94 acres at Riverside Drive and Highway 1, and 250 acres at Buena Vista Drive.

As the proposal is now, however, the city would have to agree to the condi-

tions to get the land. A fight is expected, and it could eventually land in court or before the State Legislature.

If the commission declines to negotiate on the conditions, the city will ask that the entire proposal, more than 700 acres, be reconsidered. Beyond that, the city may take LAFCO to court, although it has made no official announcement about litigation.

"I'm not going to comment on any lawsuit," said Charlie Eadie, a planner for the city.

Bob Braitman, a consultant from Ventura County who was paid \$7,500 by the city of Watsonville for work done on the Riverside annexation proposal, has written that the conditions offered

by Commissioner and County Supervisor Mardi Wormhoudt "raise serious questions of LAFCO's authority."

"The three proposed conditions appear to me to be an undue, impractical intrusion into city land-use planning prerogatives," Braitman writes.

The conditions say:

- The city must re-zone the 100-acre Landmark property off Errington Road from residential to industrial if a study determines the land has potential for industrial use.

- The city must consider and adopt any "relevant recommendations contained within" the Pajaro Valley Fu-

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tures Study, which is currently being conducted with little city input.

- The city will not pursue any other annexation or sphere-of-influence requests west of Highway 1 without prior approval from Santa Cruz County and the California Coastal Commission.

While Braitman says LAFCO is going too far with its recommendations, Pat McCormick sees it differently. The Santa Cruz County LAFCO executive director believes Wormhoudt and the commission are acting properly, and that the commission has every right to impose conditions on land use.

"It's definitely an advocacy manifesto for his client," McCormick said of Braitman's letter, which goes on to cite LAFCO law. "The commission certainly has some regional coordinating responsibilities, and it's clear that there has not been as much coordination as there should have been between the city, the county, the Coastal Commission and the Futures Project."

McCormick said he feels comfortable with the conditions, but "anybody can go to court for anything."

Wormhoudt, too, is confident the conditions can withstand scrutiny. She said they could be "precedent setting."

The city also received advice from Tai and Associates, which wants to develop more than 600 acres west of Highway 1 into housing. While the city denied Tai rezoning on its annexation request, essentially shelving the proposal, the attorneys are continuing to

fight and have urged Watsonville not to accept LAFCO's conditions.

While the commission seems firm in its resolve to impose conditions on the city, there are options, a Watsonville staff report said.

The city could drop its request completely or attempt to negotiate "more reasonable conditions." The city can also pursue legal action to remove the conditions or bypass LAFCO completely on the grounds "that it is failing to follow its charge under state law and seek state legislation to approve annexations consistent with the city's needs."

Wormhoudt said the conditions might be negotiable, but only for clarification purposes.

The city even went so far as to come up with its own conditions in hopes of favorable treatment from LAFCO. Wormhoudt, however, didn't hold out much hope that the city's version would garner much support among the commissioners, who voted 5-2 to accept the original conditions pending today's ratification.

The city would agree to these conditions:

- Review land use policy regarding the Landmark area and consider any feasible changes in zoning. It also says if the city does rezone the area to industrial, LAFCO will add an equal amount of vacant residential land into the city's sphere of influence.

- The city will consider the Pajaro Valley Futures Project, provided half its membership be appointed by the city and that any recommendations be submitted to the city by June 1, 1998.

"I didn't expect this to go away,"

Wormhoudt said. "I guess I'm somewhat baffled by Watsonville's all-or-nothing approach. I guess it's consistent with its approach all along, which is to basically ask for everything and don't negotiate. It seems to be the strategy they're pursuing thus far."

Wormhoudt, a longtime political mover and shaker in Santa Cruz County, was asked if she would accept the conditions the commission wants to impose.

"It's so hypothetical it's difficult for me to address," she said. "I honestly believe if you look at the amount of land Watsonville wants to annex, it could fit all the industrial land in Santa Cruz, plus the Scotts Valley industrial park, and have plenty of room left over."

"It's just so far from anything I ever tried to do," she said of her three terms as mayor of Santa Cruz. "I always want to preserve farmland and open space. ... And they're not my conditions. There were five people."

City officials plan to ask LAFCO to postpone a vote on the conditions today because Commissioner Lowell Hurst will be absent. Hurst, also a Watsonville city councilman, voted in favor of the full sphere-of-influence proposal and opposes the conditions.

McCormick said, however, that the commission has requested a resolution to confirm the conditions. Capitola City Councilwoman Stephanie Harlan is Hurst's alternate on the commission and would vote in his absence.

Today's meeting begins at 10 a.m. in the auditorium of the Museum of Art and History, 705 Front St., Santa Cruz.