

# Lawsuits loom over Watsonville expansion

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SANTA CRUZ — The fight over how Watsonville will grow appears headed to the courts.

The agency that determines what land cities can annex denied Watsonville's plea Wednesday to reconsider the city's requests to expand.

The Local Area Formation Commission slammed down the city's request with a clear and definitive "no" — a rebuff that Watsonville officials say virtually ensures lawsuits will be filed.

The LAFCO commissioners voted 5-2 to deny the Watsonville City Council's request for a 30-day extension, during which time the city could rework its request to annex more than 700 acres — including 219 acres for an industrial park at Highway 1 and Riverside Drive.

"I would support 30 days, if I believed we would end up in a different place," said county supervisor and LAFCO member Mardi Wormhoudt. "I don't."

LAFCO commissioners in October voted down most of Watsonville's annexation proposal, giving the city permission to annex only 94 acres at Riverside Drive and another 249 acres on Buena Vista Drive.

LAFCO's rationale was to force the city to build inward rather than allowing development to encroach into agricultural lands and jump Highway 1. The decision halved what city officials had wanted and had said was essential to successfully promote economic development.

As part of its decision, LAFCO imposed three conditions on eventual annexation of the property. The most onerous condition, said Watsonville officials, was one that prohibits future expansion west of Highway 1 unless the county and Coastal Commission agree.

Watsonville officials view the conditions as an attack on their land use planning authority, and contend that LAFCO has overstepped its authority.

After the October decision, the City Council appointed a subcommittee to develop "alternative language," and put the request to LAFCO once again. Four other requests for reconsideration were also filed by other interested parties.

However, LAFCO commissioners defended their decision Wednesday and said nothing was likely to change with a month's extension. Instead, the majority told

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Watsonville to get started with the 94 acres.

"We labored long and hard over the decision ... and think we reach the right decision," said LAFCO commission Jim Van Houten. "I don't see where more compromise or negotiation would improve the result."

"I don't think this is a disaster for Watsonville, by any means. The 94 acres gives them something to start with," Van Houten maintained.

Wormhoudt noted that development of farmland is a statewide issue in which the promise of jobs for poor people is most often put forth as the compelling reason to pave agricultural land. "I'm not sure it's the most disadvantaged people who have profited," she said.

Bill Parkin, representing the Campaign to Save the Pajaro Valley, urged the commission to stand firm.

Planning in Watsonville, Parkin said, "is basically goo. At least this puts some structure in the goo," he said.

"Bottom line — these conditions aren't unreasonable. It's only asking the city to look at itself," he said.

Watsonville Mayor Dennis Osmer had a very different reaction. He called LAFCO's rejection a "shame" and predicted the City Council will file suit to overturn LAFCO's decision.

"We did our best. We put out the hand," said Osmer. If granted the reconsideration, the City Council would have considered rezoning the 100-acre Landmark property, which LAFCO commissioners have indicated they would like to see rezoned for industrial use, said Osmer. The city also would have requested specific proposals for development of the 94 acres, said Osmer.

Without the extension, Osmer said, studying development proposals will become lower priorities for the city.

During a time extension, city officials hoped to clarify the requirement for Coastal Commission and county approval for annexations, said Osmer.

As it stands, city officials fear that complying with that condition

could jeopardize development even of the 94 acres, he said. "We don't understand it. It's not clear," he said.

Osmer warned LAFCO commissioners that if Watsonville's request for an extension were denied it would fuel efforts to have state legislation passed to reform LAFCO, possibly with a state oversight committee.

While he didn't support such legislation and hoped to avoid a legal showdown, Osmer said after the meeting that he felt it was likely the City Council would pursue litigation.

The council's discussion of annexation issues scheduled for Tuesday will be dropped from the agenda, he said. "Now this has to be looked at in the context of the whole litigation issue," he said.

Omar James, attorney for the Tai and Associates, which wants to develop more than 600 acres west of Highway 1 into housing, agreed lawsuits are almost a certainty. "Landowners are now entitled to go forward with litigation," James said. "The litigation they hoped to avoid they've now absolutely ensured."

Commissioners Stephanie Harlan and Jan Beautz were on the losing end of the LAFCO vote, arguing for the extension. "It's generally good government and common courtesy to allow people to work out their differences," said Beautz. "It may not come to anything, but it's only a month's request."