



ENVIRONMENTAL PLANNING COMMISSION **SUMMARY OF SCHEDULE AND PROCESS**

The Environmental Planning Commission (EPC) is an appointed, 9-member, volunteer citizen board with authority on many land use and planning issues. The EPC conducts regularly scheduled public hearings on the 2nd Thursday of each month in the Plaza del Sol hearing room. The Plaza del Sol building is located at 600 2nd Street NW in downtown Albuquerque. Hearings generally begin at 8:30 am and conclude when adjourned by the EPC Chair. The EPC regularly holds **Study Sessions** on the 1st Thursday of each month (generally beginning at 3:00 pm) to receive staff report packets for items on the all-day hearing on the following week. From time-to-time, the EPC conducts special hearings on the 1st Thursday of the month, and occasionally schedules meetings at other times. All hearings and meetings for new cases are advertised in the Albuquerque Journal and all are posted on the City's web site: www.cabq.gov/planning/epc (click on Meeting Agendas/Actions, then select the desired agenda).

The EPC has been given authority to decide on site development plan approval requests for SU-1 zoned and shopping center (SC) designated sites and most zone change requests. The commission also hears appeals of impact fee assessments. The EPC reviews and provides recommendations to the City Council on annexation requests, certain zone change requests, proposed amendments to the *Zoning Code* and *Subdivision Ordinance* and adoption or revision to Rank I, Rank II and Rank III Plans – including the *Comprehensive Plan*, area plans and sector development plans.

The monthly application deadline for EPC requests is the last Thursday of each month at Noon. There are approximately 42 - 49 days from the application deadline to the public hearing, depending on how the dates fall on the calendar. The Planning Department assigns a staff planner to each application. **Distribution** of application materials to City departments and outside agencies for review and comment takes place the Monday after the deadline. Agency comments are due to the Planning Department approximately two weeks after the application deadline.

Facilitated meetings between the applicant and affected neighborhood associations may occur during the review period. These meetings are arranged by the Legal Department's ADR (Alternative Dispute Resolution) program and are conducted by professional facilitators who are impartial and contracted on a case-by-case basis (facilitators are not City employees).

Pre-Hearing Discussion occurs at 1:30 pm in the Plaza del Sol 3rd floor conference room on the Wednesday three weeks before the EPC hearing. Its purpose is to review department and agency comments, giving the applicant the opportunity to discover technical or policy issues related to their application(s). Applicants (or their agents) should attend Pre-Hearing Discussion; the public is welcome to attend. Pre-Hearing Discussions are not recorded or transcribed; any comments by interested parties need to be submitted in writing to ensure that they are transmitted to the EPC.

Public Notification of applications to the EPC occurs in several ways. **First**, applicants are required by the Neighborhood Notification Ordinance (O-92) to notify two contacts from all recognized neighborhood associations affected by the request before application submittal. **A second** means of notification is publication of a Legal Advertisement in the Albuquerque Journal at least 15 days prior to the public hearing. **A third** notification mechanism is mailed notice sent by the Planning Department to all property owners within 100 feet of the subject property at least 15 days prior to the hearing. **Fourth**, applicants are required to place one or more yellow request signs on the subject property for the 15 days that precede the public hearing. **A fifth** mechanism is the monthly listing of upcoming EPC items in the City's *Neighborhood News*. **And finally**, EPC agendas are posted on the City's web site one week prior to each hearing (www.cabq.gov/planning/epc).

Planning Department staff reports are distributed to the EPC and made available to the public one week prior to the public hearing at a study session. Hearing agendas are also made available at this time. Staff reports recommend approval, denial or deferral of applications based on compliance with relevant City plans, policies and regulations. **Submittal of materials for consideration by the EPC** is through the Planning Department. Materials submitted 10 days or more before the hearing are included in the staff report packets. The EPC Rules of Conduct state that written or other types of materials should be submitted at least 48 hours in advance of any public hearing. The EPC may choose not to consider written materials that are submitted at the public hearing.

At the beginning of each Hearing, the agenda is reviewed and finalized by the Commission. Agenda items are heard in sequence without a predetermined start time or overall time allotment for any item. The public is encouraged to testify, but there are time limits for testimony. **Appeals** of EPC decisions must be filed within 15 days of the decision. The Land Use Hearing Officer (LUHO) and/or the City Council hear appeals of EPC decisions.

As mentioned above, **the City Council has approval authority on certain types of land use applications**, including annexations and amendments to the *Zoning Code*. Following EPC hearing on such matters, the Planning Department is responsible for preparing a transmittal packet for City Council review. In addition to the EPC staff report materials, Council packets include a transmittal memo, draft legislation (if needed), a fiscal impact analysis (FIA) and the transcribed minutes from the relevant EPC hearing(s) on the matter. The transmittal packets are signed by the Planning Director and transmitted for review to the Office of Management and Budget, the Legal Department and then the Mayor's office. Once signed by the Mayor, the transmittal packet is forwarded to the Council Services office to be scheduled for introduction and then for public hearing. Generally, it takes 30 - 45 days from the time a transmittal packet leaves the Planning Department office until it is introduced at City Council. Appeals of EPC decisions proceed directly to City Council (15 – 30 days)