



MEMO FROM COUNCIL OFFICE:

To: Members of the Common Council

From: Ash Kulak, Deputy Administrator / Deputy Attorney

Date: May 31, 2024

Re: Resolution 2024-11 – To Amend the City of Bloomington’s Comprehensive Plan in Order to Incorporate One New Goal and Three New Policies Related to Accessible Transportation and Mobility Principles

Synopsis

Pursuant to state law, this resolution amends the City of Bloomington’s Comprehensive Plan in order to incorporate one new goal and three new policies related to accessible transportation and mobility principles.

Relevant Materials

- Resolution 2024-11
- Certification form from Plan Commission
- Attachment A
- Staff Memo from Ryan Robling, Planning Services Manager

Summary

The Comprehensive Plan is a document that contains the City’s long range plans for land use and development and includes goals, policies, maps, illustrations, and implementation strategies on how the City should address the physical, social, and economic aspects of development. Councilmembers and the public can find the city’s Comprehensive Plan online at the following link: <https://bloomington.in.gov/planning/comprehensive-plan>.

Proposals to amend the City’s Comprehensive Plan are governed by state law under [Indiana Code \(I.C.\) 36-7-4-500 in the “500 Series – Comprehensive Plan.”](#) Generally, a Comprehensive Plan is prepared by the Plan Commission and must be approved by resolution of the legislative body in accordance with statutory requirements. Note that local code (BMC [20.06.070\(a\)](#)) also sets forth the procedure for review and amendment of the Comprehensive Plan, which requires amendments to proceed according to the 500 Series and allows the Plan Commission to recommend and the Common Council to determine the appropriate interval for review of the Comprehensive Plan.

Amendments to the Comprehensive Plan must be approved according to the general procedures set forth in the 500 Series, which require the Plan Commission to prepare the comprehensive plan ([I.C. 36-7-4-501](#)), hold a public hearing on the plan ([I.C. 36-7-4-507](#)), and certify it to the legislative body ([I.C. 36-7-4-508](#)).



Under [I.C. 36-7-4-511](#), if the legislative body wants an amendment to the Comprehensive Plan, it may direct the Plan Commission to prepare one and submit it in the same manner as any other amendment to the Comprehensive Plan. The default deadline for this is sixty (60) days, but the legislative body may extend that time, which was done in this case.

On July 26, 2023, the Common Council passed [Resolution 23-14](#), which initiated the proposal to amend the Comprehensive Plan and directed the Plan Commission to prepare and submit an amendment consistent with four accessible transportation and mobility principles within three hundred (300) days of the effective date of the resolution.

On April 15, 2024, Plan Commission prepared and voted to send the amendment to the Council with a positive recommendation by a vote of 8-0. The Plan Commission's proposal incorporates one new goal and three new policies within the Comprehensive Plan:

Goal 6.8: Development of Equitable Access

Policy 6.8.1: Involve people with disabilities in decision making

Policy 6.8.2: Provide safe and functional mobility

Policy 6.8.3: Ensure accountability

The Plan Commission certified its proposal on April 17, 2024.

The following procedures apply to a proposal to amend the Comprehensive Plan:

- After the Plan Commission determines its recommendation on a proposal and a public hearing has been held, it certifies the proposal to the Council with either a favorable recommendation, an unfavorable recommendation, or no recommendation. This proposal received a favorable recommendation by the Plan Commission by a vote of 8-0.
- After the Plan Commission certifies the proposal, the legislative body may, by majority vote, adopt a resolution approving, rejecting, or amending the Comprehensive Plan. This resolution is NOT subject to approval or veto by the executive, who is not required to sign it.
- If the legislative body approves the proposal as certified by the Plan Commission, it becomes official for each unit that approves it and the clerk of the legislative body must place one copy of it on file in the office of the county recorder.
- Unlike zoning or development ordinance amendments, if the legislative body does nothing, the Comprehensive Plan or amendments as certified by the Plan Commission do NOT go into effect. This is because, under state statute, the Comprehensive Plan is not effective for a jurisdiction until it has been approved by a resolution of the legislative body.
- If the legislative body wants to reject or amend the proposal, it must return the Comprehensive Plan to the Plan Commission for its consideration, along with a written statement of reasons for the rejection or amendment. The Plan Commission



City of Bloomington Indiana

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then has 60 days to consider the rejection or amendment and file its report with the legislative body, unless the legislative body extends that time by a specific duration.

- If the Plan Commission approves of the legislative body's amendment(s) to its proposal, the amended Comprehensive Plan stands as of the date the Plan Commission files its report with the legislative body. If the Plan Commission disapproves of the legislative body's rejection or amendment, the legislative body's rejection or amendment only stands if confirmed by another resolution. However, if the Plan Commission does not file a report with the legislative body in its allotted time, the legislative body's rejection or amendment of the Comprehensive Plan becomes final.

These procedures may seem cumbersome but are designed to ensure that there is a dialogue between the Plan Commission and the Council.

Contact

Jacqueline Scanlan, Development Services Manager, Planning & Transportation, 812-349-3524, scanlanj@bloomington.in.gov

Ryan Robling, Planning Services manager, Planning & Transportation, 812-349-3459, roblingr@bloomington.in.gov

RESOLUTION 2024-11

TO AMEND THE CITY OF BLOOMINGTON’S COMPREHENSIVE PLAN IN ORDER TO INCORPORATE ONE NEW GOAL AND THREE NEW POLICIES RELATED TO ACCESSIBLE TRANSPORTATION AND MOBILITY PRINCIPLES

WHEREAS, pursuant to IC 36-7-4-500 et seq., the Plan Commission is responsible for preparing comprehensive plans and amendments thereto and forwarding them to the Common Council; and

WHEREAS, on March 21, 2018, with the passage of Resolution 18-01, the Common Council adopted the City’s current Comprehensive Plan; and

WHEREAS, on July 26, 2023, pursuant to IC 36-7-4-511, the Common Council passed Resolution 23-14 and directed the Plan Commission to prepare an amendment to the Comprehensive Plan within three hundred (300) days from the resolution’s effective date to include new policies consistent with four Accessible Transportation and Mobility Principles identified in the resolution; and

WHEREAS, the Plan Commission has considered this case, MP-15-24, and recommended that one new goal and three new policies be added to “Chapter 6: Transportation” of the Comprehensive Plan; and

WHEREAS, the Plan Commission requests that the Common Council consider this petition;

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. The City’s Comprehensive Plan is amended.

SECTION 2. An Amended Comprehensive Plan, including other materials that are incorporated therein by reference, is hereby adopted. The amendments to be made to the Comprehensive Plan consist of the following documents, which are attached hereto and incorporated herein:

1. The proposal forwarded to the Common Council by the Plan Commission, which received a positive recommendation by a vote of 8 Ayes, 0 Nays, and 0 Abstentions., consisting of:
 - a. MP-15-24, (hereinafter “Attachment A”)

SECTION 3. If any section, sentence or provision of this ordinance, or application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions or application of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2024.

ISABEL PIEDMONT-SMITH, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington