

MEMO FROM COUNCIL OFFICE:

To: Members of the Common Council

From: Ash Kulak, Deputy Administrator / Deputy Attorney

Date: November 15, 2024

Re: Resolution 2024-23 – To Amend the City of Bloomington’s Transportation Plan in Order to Incorporate the Safe Streets and Roads for All (SS4A) Safety Action Plan

Synopsis

Pursuant to state law and as directed by the Common Council in Resolution 2024-07, this resolution amends the City of Bloomington’s Transportation Plan in order to incorporate the Safe Streets and Roads for All (SS4A) Safety Action Plan.

Relevant Materials

- Resolution 2024-20
- Certification form from Plan Commission
- City of Bloomington Safe Streets and Roads for All Safety Action Plan “Attachment A”
- Staff Memo from Ryan Robling, Planning Services Manager

Summary

Resolution 2024-20 would adopt the Safe Streets and Roads for All (SS4A) Action Plan as an amendment to the City’s Transportation Plan. The Council adopted Resolution 2024-07 on April 3, 2024, which started the process to incorporate SS4A in an amended Transportation Plan. Packet materials for that Resolution 2024-07 can be found on the council website for the [April 3 Regular Session](#).

The [Transportation Plan](#) was adopted by the City on July 17, 2019, as an amendment to the City’s Comprehensive Plan. The Transportation Plan fulfilled the 2018 requirement to develop an updated Master Thoroughfare Plan, and it guides the City’s transportation investments, policies, and operations to achieve the City’s goals. More information about the Transportation Plan can be found online at: bloomington.in.gov/transportation/plan.

Comprehensive Plan Amendment Process

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.

On April 9, 2024, the Common Council passed [Resolution 2024-07](#), which initiated the process to amend the Transportation Plan by establishing the goal of zero traffic deaths and serious injuries in the City's roadways by 2039, outlining the City's intention to pursue a comprehensive approach to achieve that objective, and requiring the adoption of the SS4A Safety Action Plan.

On October 7, 2024, Plan Commission prepared and voted to send the amendment to the Council with a positive recommendation by a vote of 6-1-0. The Plan Commission's proposal amends the City's Transportation Plan to incorporate the SS4A Safety Action Plan. The Plan Commission certified its proposal on October 15, 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 6-1-0.
- 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 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

Ryan Robling, Planning Services Manager, 812-349-3459, roblingr@bloomington.in.gov