CHAPTER 7
COMPREHENSIVE PLANS

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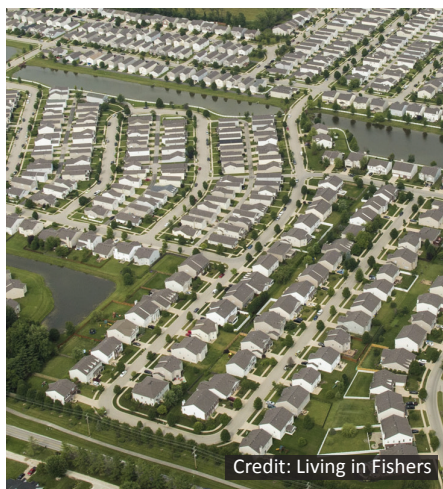**Teree L. Bergman, FAICP** - Previous Author

IN THIS CHAPTER. . .

WHY COMMUNITIES PLAN

From the earliest settlements, communities in the United States have been laid out according to plans. Towns and villages usually were located on uplands, where there was safety from floodwaters. Buildings were arranged for efficiency in commerce and in the affairs of government. Farms were in the outlying areas, providing a buffer of green space for the town and protecting the town from the dust and odors from animals and cultivation. Settlers tried to select areas with abundant water, and to make the towns easier to defend, they also sought locations with clear views of the surrounding area.

In Indiana, Jeffersonville was originally laid out in 1802 according to a plan based upon ideas formulated by Thomas Jefferson. This plan called for a checkerboard pattern of undeveloped squares and subdivided squares. The idea was to create areas of permanent open space. Land speculators found the plan inhibiting, and in 1816, the Indiana legislature authorized the replatting of all the land. The original grid pattern is still the fundamental form of Jeffersonville. Indianapolis was designed by Alexander Ralston, a land surveyor who established the streets radiating from the circle at the city's center. Ralston had worked with Pierre L'Enfant on the plan for Washington, D.C., which also is based upon a radial street pattern.

All development is planned to some degree, but there are differences as to who does the planning and as to the goals of the plans. Costs and profits often are motives for the layout and location of new development. Early factories were built adjacent to water bodies which served as sources of electricity as well as disposal areas for industrial waste. County seats were nearly always located in the center of the county, to minimize travel costs for those conducting business there, and city halls and county courthouses were located in the center of town for the same reason. Developers convert flat farmland to building sites, because the cost of grading and site preparation is low. To avoid the cost of building new streets, property owners subdivide the frontages along existing roads for building sites. For the same reason, some landowners subdivide outlying parcels into house lots with gravel roads or driveways instead of streets for access.

Exercise: Give examples of undesirable development. These could be in your own community or elsewhere. What are the issues? Did anyone profit from the poor development? Was there benefit to the whole community? Why was it approved?

Credit: Living in Fishers

Credit: Lexington Homes

Credit: A Greener Indiana

Credit: RATIO Architects

Sometimes choices which lower costs and increase benefits for one person or institution increase the costs for others. The factory on the river pollutes the water and kills the fish, costing the fisherman his livelihood. Houses on farm land remove land from production and create problems for the neighboring farmer when new residents complain of dust and odors. Buildings strung along the existing road frontages increase traffic and accidents as new driveways create points of traffic conflict. There are demands to increase public expenditures for more roads and improvements to existing ones. Emergency response may be compromised on private roads not constructed to the jurisdiction's standards.

One of the reasons communities engage in a planning process is to ensure that the needs of the whole community are considered, not just the benefits to individuals. Community planning is based upon a concept of the public interest. Some flexibility in the use of individual land is given up in exchange for creating a community in which the interests of all are considered. Plan commissioners are trustees of the future, and they have a responsibility to help prevent growth patterns which result in wasteful and inefficient use of public resources.

When communities plan, they establish and implement a public policy for the community and guidelines for decisions on development. Plans help a community achieve a character of its own - one that residents of the community recognize and support. If all communities were the same, one plan would suffice for all. But each community is different, and a plan is the opportunity to share its story. One town may wish to emphasize its historical importance while another may pride itself on being a community of the future. A plan that works for one will not work for another. Through the planning process, residents, property owners, and community leaders will determine their community identity and values, and how the plan will affect the local culture.

Exercise: Think of two Indiana communities or counties that have a distinctive character. What is that character? How do the two communities differ?

Planning offers many benefits for the community and its residents.

It guides investment . . .

- Helps local government provide services efficiently;
- Ensures that developers pay their fair share of improvements such as streets, utilities and parks;
- Directs development to areas with sufficient capacity to support it (e.g., new subdivisions in locations where there are available classrooms, industries, utilities);
- Coordinates development and future capital expenditures such as streets, sewage treatment plants, civic buildings, parks, and schools; and
- Saves paying for remedies for poorly planned development, such as purchasing right-of-way or easements to widen streets, construct sidewalks, or extend utilities.

It protects property values . . .

- Preserves and enhances community character;
- Improves quality of life;
- Keeps adjacent uses compatible; and
- Encourages resiliency.

It makes communities healthier . . .

- Provides for safe streets and sidewalks;
- Prevents unwise development, such as residences in flood hazard areas or subdivisions without proper sewage disposal; and
- Protects environmental quality.

WHAT IS IN THE PLAN?

In Indiana, comprehensive planning is permitted by the 500 Series of Title 36-7-4 of the Indiana Code (IC). This law empowers cities, towns, and counties to adopt plans. Any plan adopted in Indiana must contain at least the following three elements:

1) A statement of objectives for the future development of the jurisdiction;
2) A statement of policy for the land use development of the jurisdiction; and
3) A statement of policy for the development of public ways, public places, public lands, public structures, and public utilities.

Plan Elements

In addition, the law provides for a number of optional elements, including parks and recreation, flood control, transit, natural resource protection, conservation, flood control, farmland protection, education, health and wellness, character and identity, and redevelopment of blighted areas. Most comprehensive plans in Indiana have some of these optional elements.

What is required is that the community establish policies to guide growth. If they are thoughtfully and carefully drafted, these policies can point to the community's desired future.
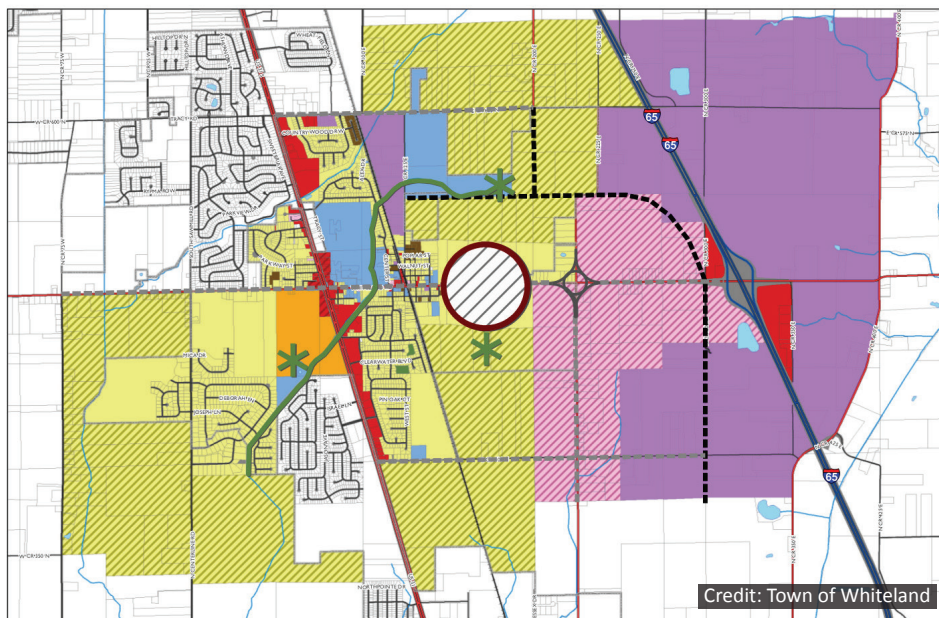
Refer to IC 36-7-4-502

Indiana's minimum requirements for a comprehensive plan are much less complex than in some other states. The planners, lawyers, and legislators who drafted the law tried to make it flexible, so that it could be used by large cities, small towns, and counties. They recognized that many Indiana communities do not employ trained professional planners and cannot afford to hire consultants. At the same time, the law makes it clear that communities cannot regulate land use and development if they have not first engaged in a process of thinking about the future.

Maps

Maps are useful as visual representation of the community's plan. Most plans contain maps of desired future land use patterns, locations of future police and fire stations, and areas set aside for parks and open space. It is important to note, however, that these maps are not required in Indiana but are usually included.

Land uses are usually divided into categories, with different colors or patterns used to show areas for future residential, commercial, industrial, institutional, and agricultural uses. Normally, locations should not be overly specific. For purposes of the comprehensive plan, it is more important to establish the principle that a school should be located in a certain area than to designate the specific site for the school. The locations should be approximate, not exact.

Often a comprehensive plan will contain a map of thoroghfares categorized from both urban and rural major arterials to local streets. The section of the plan may also address motorized and non-motorized transportation and facility design.

Credit: Town of Whiteland

Extraterritorial Jurisdiction

In Indiana, municipal plan commissions are authorized under certain conditions to exercise planning and zoning jurisdiction over territory outside the corporate boundaries. If the plan commission has assumed this jurisdiction, the comprehensive plan must include all of the extra-territorial jurisdictional area. With the additional territory comes responsibility for inspection and enforcement with specifics based on an inter-local agreeement.

THE PLANNING PROCESS

While each planning process should be custom-designed to meet community needs, nearly all contain the same core elements:

1) Evaluate and analyze existing conditions, including strengths and weaknesses, community character, demographics, natural features, etc.;

2) Establish goals and objectives for the future;

3) Identify alternatives for meeting the goals and objectives;

4) Select the preferred alternative;

5) Make recommendations and specify actions to implement the plan (update zoning and subdivision control ordinances, develop capital improvements program, create design guidelines, etc.);

6) Evaluate the success of the plan; and

7) Adopt the plan.

These steps are part of an ongoing process. Plans must be evaluated, changed, and updated as the community evolves. These changes can be gradual, as through demographic trends, technological change, or slow economic growth or decline.

Credit: RATIO Architects

Sometimes change is more sudden, such as a large annexation, the location of a large new industry in a small community, the loss of a major employer, or a natural disaster (flood, earthquake, etc.).

In Indiana, it is the plan commission's responsibility to prepare and adopt a plan and to recommend it to the city or town council or county commissioners for adoption. In preparing a plan, the commission may be assisted by staff, by consultants, by volunteers, or by any combination of the three.

Public Participation

Getting a community consensus is essential to a successful planning process. A plan that does not have the support of the majority of those who will be affected by it, is doomed to failure - the proverbial "sitting on the shelf." Plan commissioners are key players in arriving at that consensus. Not only do they share their own observations and views about the community, they can ensure that the full range of views is sought and considered.

Public engagement should be ongoing from start to adoption. Frequently, plan participants include a representative steering committee, focused groups of stakeholders, and the general public. Meetings may be face-to-face but an online presence through a project website allows for 24/7 outreach.

Elected officials are essential to the planning process. The decisions they make determine the shape of the community by votes on petitions for rezoning land, where to construct and upgrade public streets and utilities, and where to locate public facilities. Each decision should be guided by the comprehensive plan. If they don't agree with the contents of the plan or don't understand what is in it, their decisions won't further the plan's objectives. Plan commissioners are essential to this process.

EFFECTIVE PLANNING PRINCIPLES

Plans usually, but not always, consist of a combination of text, maps, and graphics. Some plans are heavily oriented toward policy, and these usually consist primarily of text. Some are oriented toward community design and the desired physical form of the community, and these may consist of numerous maps, sketches, precedent images, and drawings. It is important that the format of the plan be suited to the community, its goals, and ability to administer it. In order to make the plan understandable and meaningful to the public, it is a good idea to have a balance of text and graphics. Some people quickly grasp ideas expressed visually. Others are primarily verbal; they are more likely to absorb concepts expressed through words. Most of us learn with a balanced combination of the two.

The following features are common to most plans:

Emphasis on physical development

Communities are affected by a variety of social, environmental, and economic factors, and plans should take those into account. Many plans do contain policies concerning these issues. For example, the plan may contain strategies for combating unemployment or underemployment. It may have policies regarding daycare, education, health, wellness, and aging. Physical development of the community is interrelated with these social, environmental, and economic factors.

For example, concentrating all low-income housing in a specific geographic area often leads to social problems in that neighborhood. The location of commerce and industry affects commuting time and street patterns which, in turn, affect the cost of building and maintaining roads. The provision of sidewalks, greenways and access to groceries and medical services affects wellness.

See Also: Chapter 4, Communications, for techniques for effective citizen participation

General Policies

The plan should address physical elements of the community, integrated with social, economic and environmetal conditions. It also should be general in nature; it is a guide of policies and best practices related to development, not a tool for determining the precise location of each feature.

Realistic and practical

The planning process offers the opportunity to dream, but the plan should recognize what is possible in a given community. It is not useful to plan for a town to become a regional employment center within 15 years if the town has no interstate highway access, no airport, no sewer system, and no public water supply. Solid analysis and community input should help "right-size" the expectations. The plan should be designed to build on strengths and to lessen weaknesses, and it can be developed with step-by-step implementation mechanisms to further specific goals.

Long-range

While short-range strategic plans are useful for specific objectives, the comprehensive plan should be long-range. Plans are implemented over relatively long time periods. The plan should have a long-range horizon aimed at shaping the community for 15-20 years. The range will vary depending on the rate of growth, investment and other factors. Some states mandate an update every five years; however, Indiana does not have a requirement for updates.

Easy to understand

There are no extra points for length or weight. The plan should be as simple and as clear as possible. The text should be well written and the format should be inviting to the reader.

Accessible/Reproducible

Each jurisdiction should maintain copies of the plan for staff and plan commission members, as well as one for public accessibility in the Town or City Clerk's Office or the County Auditor's office. Some consulting firms produce plans filled with full-color maps and photographs or use odd-sized paper. These formats are acceptable, as long as the community has the resources to reproduce enough copies. These days it is easy enough to make the plan and maps available on the jurisdiction's website and have CD's with PDF copies available.

Reflects community consensus

As noted previously, a plan will not be implemented if it does not accurately reflect the community's goals and objectives. It must be derived from an effective citizen participation process. Elected officials will not be guided by the plan's policies unless these officials know that the plan represents the wishes of their constituents.

As the community works with the plan, and as conditions change, the plan commission will want to make changes. The commission should review the plan regularly and initiate amendments when they are needed.

Plan test: Before the plan is distributed to the public, give it to several people who are not familiar with planning and ask them to read it. Can they understand it? If so, it's probably clear. If not, rewrite, reformat - whatever it takes!

ADOPTING THE PLAN

Indiana law specifies the procedure for adopting a comprehensive plan. The procedures vary somewhat, depending upon the type of plan commission the community has (advisory, area, metro). In all cases, the plan commission has primary responsibility of preparing and approving the plan and then recommending it to the legislative body for adoption (by resolution). The steps are outlined below. The law specifically provides that plans may be adopted as separate elements, such as land use, thoroughfares, parks, and community facilities. These steps apply to an entire plan or to a plan element:

1) Plan commission prepares the plan;

2) Plan commission holds a public hearing on the plan;

3) Plan commission approves the plan and forwards it to the legislative body for adoption by resolution. (For metropolitan plan commissions, the commission decision is final; the legislative body does not act on the plan.) In a county, the legislative body is the board of county commissioners; in a city, it is the common (city) council; in a town, it is the town council. Because area plan commissions are cooperative efforts between a county and at least one municipality in the county, area plans must be forwarded to the respective legislative body for each participating municipality for adoption;

4) After the plan commission recommends a plan for adoption, the legislative body has three options:

   – Adopt the plan as recommended and approved;

   – Adopt the plan with amendments; or

   – Reject the plan. If the plan is amended or rejected, the law provides for the legislative body to return the plan to the commission with written reasons for the amendment or rejection. The purpose of this procedure is to encourage communication between the legislative body and the plan commission. The commission has 60 days to consider the amendment or rejection. If the commission agrees with a legislative body amendment, the plan is adopted and the legislative body does not need to take further action. If the commission disagrees, the legislative body can amend the plan only if within 60 days it again votes in favor of the amendment. If the commission agrees with the rejection of the plan, it is rejected. Indiana law does not permit the mayor to veto a comprehensive plan.

5) Legislative body adopts the plan by resolution. For area plan commissions, each participating legislative body adopts the plan.

It should be noted that the plan is <u>not</u> an ordinance; it is adopted by resolution. A resolution is more appropriate than an ordinance, because the plan is a guideline, not a regulation.

If the planning process has involved participation by elected officials and regular communication, legislative rejection of the plan should be unlikely and any amendments should be relatively minor.

Refer to IC 36-7-4-507 for noticing requirements

Amendments to an adopted plan may be initiated by the plan commission or by the legislative body. If the legislative body initiates the amendment, it may direct the commission to prepare and submit it. Unless the legislative body grants an extension of time, the commission must prepare and submit the amendment within 60 days. The procedure for adopting an amendment is the same as the procedure for adopting the plan.

Credit: Dearborn County

NOW WHAT - POST ADOPTION

Once a plan is adopted, the staff, plan commission, board of zoning appeals, and legislative body members should participate in a training session led by staff or a consultant involved in the preparation of the plan. The training session could include development scenarios for the attendees to work through, as well as highlight each body's role. Other early implementation steps may included evaluating the skills and expertise of staff to ensure the organization has the capacity to perservere through implementation. Additionally, it is important to update tools relevant to plan implementation (zoning, subdivision, stormwater, historicc preservation ordinances).

The plan commission should undertake a yearly review of the plan's action steps, measure the accomplishments, and determine what the priorities will be for the upcoming year.

SUGGESTED RESOURCES

Arendt, Randall. Envisioning Better Communities; Seeing More Options, Making Wiser Choices. Published by APA Planners Press and Urban Land Institute, 2010.

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Yin, Jordan P. Urban Planning for Dummies, 2012.

www.Planetizen.com