

## CHAPTER 7: LAND USE

### Physical Setting

Byron is located at an elevation of 4,036 feet above sea level. The town boundaries encompass a segment of the Shoshone River flood plain. However, the developed portions of town are located about 60 to 70 feet higher on a terrace above and north of the river.

With regard to soil conditions, most of Byron is situated on the “Emblem-Garland Soil Complex” or on “Sharland clay loam” both of which have relatively slight or moderation limitations for development. These soil units extend beyond the town to the east and west, providing open development sites without major soil limitations. However, there are significant areas with severe limitations for development due to wet conditions or high shrink-swell clay soils particularly north of town near the Sidon Canal.

### Present Land Use

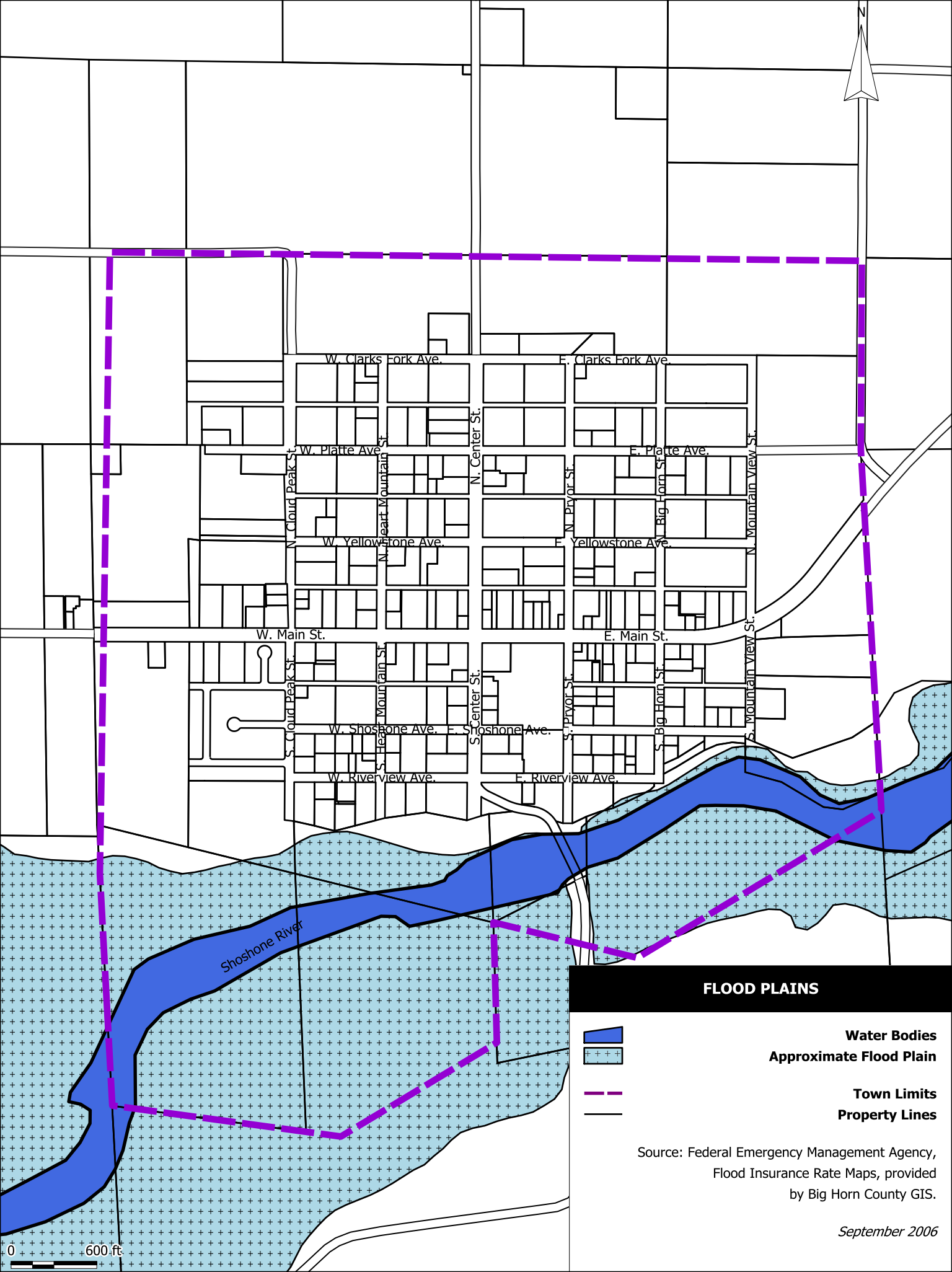
Residential land use is the predominant land use in town. There are 216 housing units on 191 lots or parcels taking up a total of 140 acres. This means the average residential lot is about 0.7 acres or 32,000 square feet, which is large by city standards. Another 41 acres consisted of six large lot “rural residential” parcels; these parcels have homes on them but are largely undeveloped or agricultural. There are 14 agricultural parcels on 306 acres in town and 30 parcels (61 acres) of public or semipublic tax exempt properties, including all the properties of the school, the church, the town, the cemetery district, the solid waste district, and public utilities. There is one industrial site in town on two parcels consisting of 5 acres and eleven commercial parcels on 3 acres. There are another 32 acres (39 parcels) that are vacant as well as the Jones Subdivision with an additional 35 lots on 9.5 acres, only one of which is developed.

LAND USE TALLIES							
	Residential town lot	Residential rural lot	Agricultural	Public or Tax Exempt	Industrial	Commercial	Vacant
<b>Lots</b>	189	6	14	30	2	11	74
<b>Acres</b>	138	41	306	61	5	30	41

### Residential Land Supply and Demand

In terms of land availability for future development, it is projected that Byron will add 32 new housing units by 2020. Even on 0.7 acre lots (the current town average), these homes would only require about 28 acres. These homes could be developed on much less land, even as little as five acres, if smaller lots are used and some multifamily housing is included.

In terms of land supply, there is 144 acres of agricultural land and 41 acres of vacant land potentially available for development. (There is actually 306 acres of agricultural land in town but 162 acres are in the floodplain.) In addition, a large part of the 41 acres of rural residential land could be available for development. Add to that 41 acres of vacant lots. The amounts to at least 267 acres potentially available. Furthermore, there are many large town lots with just one residence; many of these could be further divided to create additional home sites.



W. Clarks Fork Ave.

E. Clarks Fork Ave.

W. Platte Ave.

E. Platte Ave.

W. Yellowstone Ave.

E. Yellowstone Ave.

W. Main St.

E. Main St.

W. Shoshone Ave. E. Shoshone Ave.

W. Riverview Ave.

E. Riverview Ave.

Shoshone River

**FLOOD PLAINS**



**Water Bodies**



**Approximate Flood Plain**



**Town Limits**

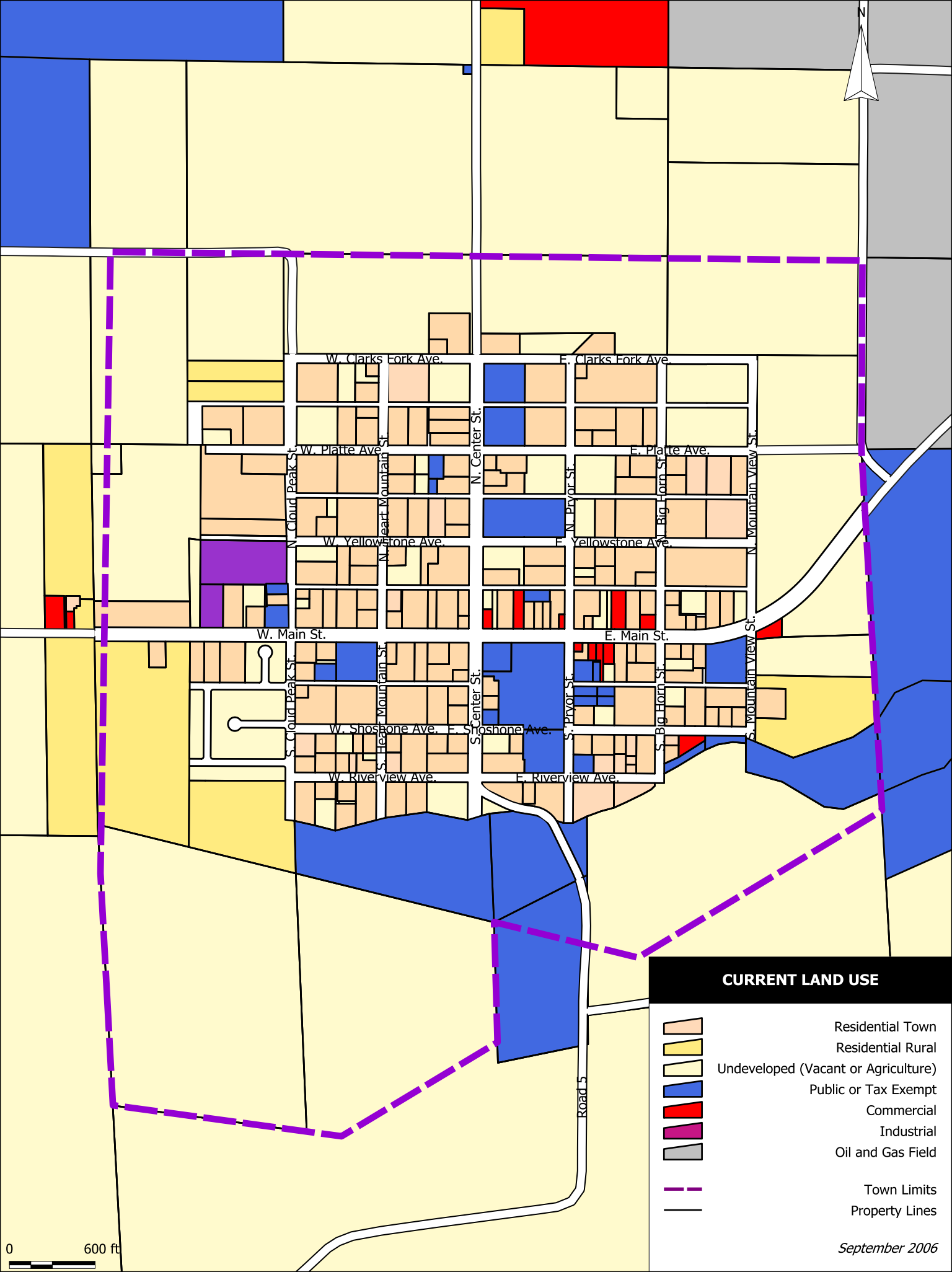


**Property Lines**

Source: Federal Emergency Management Agency,  
Flood Insurance Rate Maps, provided  
by Big Horn County GIS.










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0 600 ft



0 600 ft

**CURRENT LAND USE**

-  Residential Town
-  Residential Rural
-  Undeveloped (Vacant or Agriculture)
-  Public or Tax Exempt
-  Commercial
-  Industrial
-  Oil and Gas Field
-  Town Limits
-  Property Lines

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Much of the land supply may be unavailable for development due to preferences of the landowners. Nevertheless, the land supply is so great relative to demand that it is unlikely the town will need to annex more land for residential development. The needs for residential land by 2020 can be met within the present town limits. Development within the town limits is also the most economical way to develop. No major streets will need to be built; water, sewer and other utilities are already in place, and other town services are already provided.

Under the very strong growth scenario discussed in Chapter 5, Byron will add 99 households by 2030, 24 year from now. If each of these were a single family home on a quarter-acre lot and accounting for land needed for streets and parks, this development would require about 31 acres. In land planning, it is assumed that the land supply should be three to four fold more than demand to have a competitive land market. In Byron, under the maximum growth scenario, 93 to 124 acres should be available for residential growth. With at least 267 acres potentially available, Byron has adequate land for even the highest conceivable level of residential growth. However, there is one caveat to this conclusion.

The adequacy of the residential land supply hinges in part on the size of new lots. It should be noted that the land supply may not be adequate if new residential lots are much larger than typical town lots. Some area towns including Powell have taken steps to ensure that the town's best development land is not taken up by large lots. The concern is that if most new growth is large lot, then town services will have to be extended uneconomically over much greater distances leading to a sprawling growth pattern.

To avoid this in Byron, it is advisable to discourage large lot developments in and around the town by:

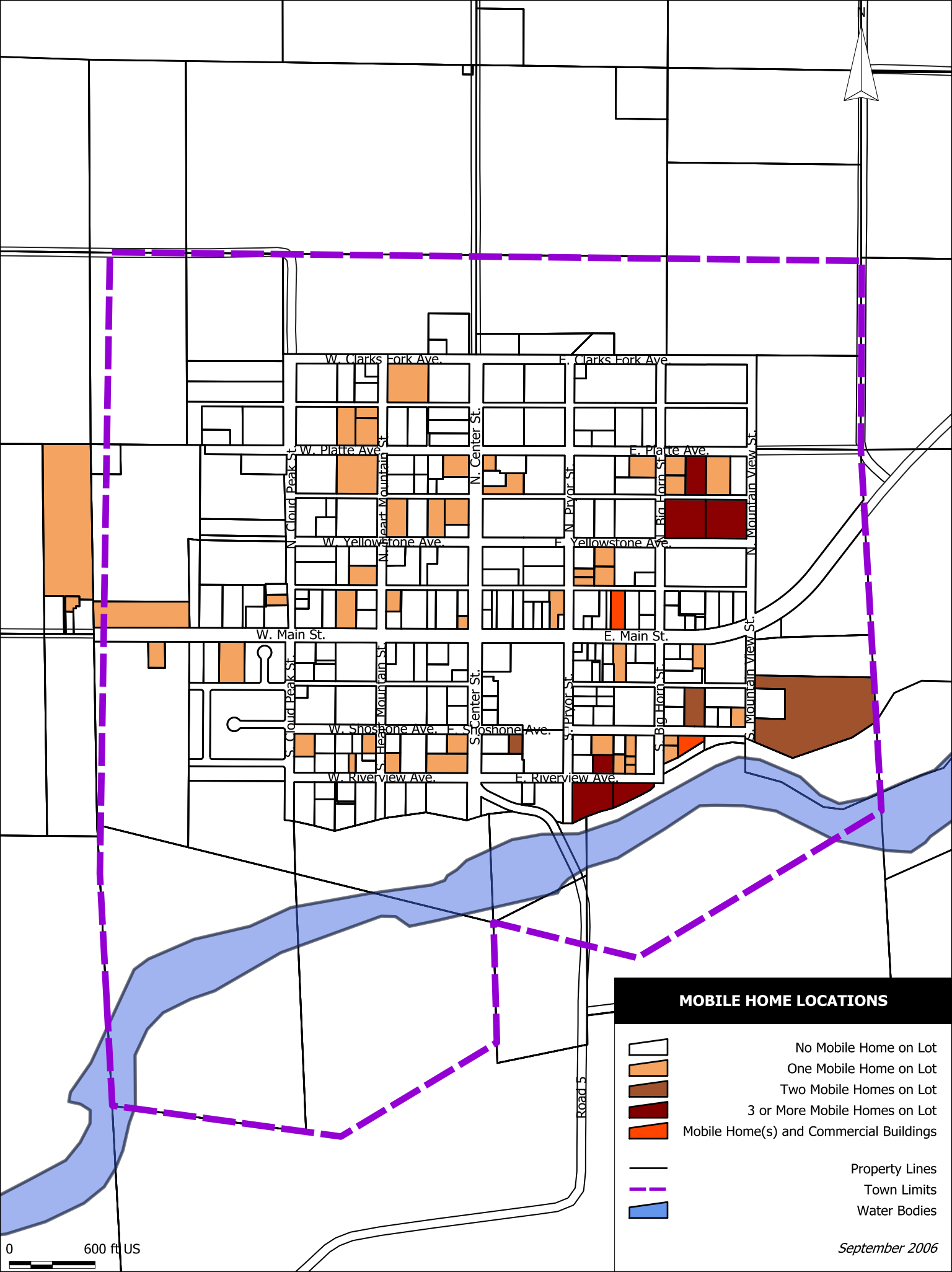
- Setting lot size maximums for subdivisions. For example, subdivision lots can be no larger than a half acre.
- Requiring large lot subdivisions be designed for future resubdivision. The large lots would actually be several smaller lots with reservations made for future streets and utility connections.
- Not annexing large lot developments.
- Not extending town services to large lot developments.
- Not approving county subdivisions within one-half mile of town if the lots are smaller than 10 acres. This will prevent the town from being hemmed in by lots that are too small to resubdivide and too big to service efficiently.

### **Mobile Homes**

Mobile homes have been increasing in numbers and in usage as rental units in Byron. The quality of mobile homes is an issue.









The National Manufactured Home Construction and Safety Act of 1976 required significant improvement in the safety and quality of mobile homes. Homes that comply with the act are said to meet the "HUD code". The HUD Code is a uniform construction code that ensures that a manufactured home, regardless of where it is built in





0 600 ft US

**MOBILE HOME LOCATIONS**

-  No Mobile Home on Lot
-  One Mobile Home on Lot
-  Two Mobile Homes on Lot
-  3 or More Mobile Homes on Lot
-  Mobile Home(s) and Commercial Buildings
-  Property Lines
-  Town Limits
-  Water Bodies

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the U.S., will meet certain publicly adopted standards related to health, safety, and welfare.

According to the County Assessor, of the 68 mobile homes in town, 43 or 63% were constructed prior to 1976. These older units are referred to as “mobile homes” while the newer units should be called “manufactured housing”. (Note there is yet another category, “modular homes” which are built off-site to the same code as site-built homes and are placed on a permanent foundation.) These older mobile homes do not meet health and safety standards and should be a major focus of the Town’s efforts to improve the housing stock. There is a legitimate public interest in facilitating the removal of these older mobile home or their replacement with manufactured housing that meets the HUD code.

Manufactured homes, on the other hand, should be allowed in residential zoning districts. The Town’s zoning and subdivision standards should be crafted so that they encourage good siting and design without unnecessarily limiting the use of manufactured housing. These standards and the process for applying them should be applied equally to all housing forms, including traditional site-built housing.

### **Commercial Development**

Commercial development is rather limited in Byron at the present time. Byron residents typically shop in bigger cities and towns for most other retail purchases and services. Opportunities for tourist related businesses are limited by the proximity of such businesses in Lovell and Powell.

Most of Byron’s retail businesses are all located on East Main Street. These include a card-serve gas station, a convenience store, the Post Office, a tavern, an antique store, a cell phone store and a laundromat. There are also two or three vacant storefronts on East Main Street. On West Main Street, just outside the town limits, is a restaurant and motel, both of which are out of business.

While demand for new retail space may be small, some new businesses may require more space than is available on any of the vacant lots on

Main Street. Some new businesses might be interested in using one of the vacant store fronts or converting a residence to a business. However, some larger parcels of open land may be required for future businesses. Areas on the east and west ends of town along Main Street should be considered for this purpose.

Other sections of Main Street, particularly West Main Street between Cloud Peak and Center Streets, are primarily residential areas. Commercial activity in here should be more limited than on East Main. While the Main Street location is a good one for business, the concern is to avoid the conflicts that come with establishing a heavy commercial activity in the midst of residences. Businesses in the residential areas of Main Street should be limited to ones that retain the residential character of the area. Examples



would include converting an existing residential building to an office, restaurant or specialty shop where parking, lighting and signs are designed to retain the residential character of the area. Areas such as West Main Street could eventually be converted to a general business district, but only after other general business sites are taken and a need for more commercial land develops.

### **Industrial Development**

Within the town limits, industrial development is limited to one oil field service company located on West Main Street. The potential for future industrial development is constrained by the availability of developed industrial parks in Cody, Powell and other locations. Byron is also limited by the size of its available work force. New industrial development typically prefer ready-to-develop sites and access to a significant number of workers.

If a new industrial development were to locate to Byron, one of the best locations would be 90 acres state land east of town on U.S. 14A. This site would also be a good candidate for an industrial park. This land is away from Byron's residential area, is large enough for industrial uses, has direct access on to the highway, and could be readily served by town water and by the town sewage treatment system which is located nearby. Another option would be west of the present oil field industry on West Main Street.

### **Future Use of the Byron School Buildings and Site**

The 96,000 square foot school building in Byron will become vacant within two years. The elementary school that was in the building has relocated to Cowley and by the end of the 2007-2008 academic year the high school will relocate as well, leaving the facility unused.

The future of the school building, its out buildings, and grounds is an important issue for future of Byron. One possible future is that the building will be demolished. In other communities, surplus school buildings have been reused for a wide variety of uses including residential, institutional, commercial, recreation and public uses.

The Town has commissioned a "feasibility study" to examine options for reuse of the building and grounds.

### **Future Land Use Map**

The future land use map is a graphical depiction of the land use and development policies recommended for Byron. The map represents how Byron should develop over the next 25 years by showing the locations major land use areas, such as commercial, industrial and residential areas.

It should be noted that the map is intended to be fairly general. The boundaries between different types areas are not distinct. The list of uses that will occur in each area is general as well. The future land use map will provide guidance for zoning decisions but it is not as precise as a zoning ordinance. Many details about which land uses should be allowed in each type of area and the exact boundaries of areas will be worked out in the zoning ordinance.

It should also be noted that the future land use map shows extensive areas of commercial, industrial and residential land use, more that will be needed in the next ten years or so. The Town should not zone all these areas now for their future land use. These areas can be rezoned as the need arises. This will help

avoid an inefficient, discontinuous development pattern.

The areas depicted on the future land use map are:

**General Residential:**

This area is for residential use with a wide variety of housing forms, including site built homes, manufactured homes, and multi-family housing. The area also includes some non-residential uses that do not conflict with the residential character of the area such as churches and day care centers.

**Limited Residential:**

This area is a more restrictive residential area with housing limited to site built homes and modular homes.

**General Commercial:**

This area is the “downtown” commercial area as well as future commercial expansion areas where a wide range of commercial uses will be found.

**Limited Commercial:**

This area is a transition between residential and general commercial areas. It is intended as an area that has more intensive commercial activity than the residential areas but less than the general commercial areas. A key feature of the limited commercial area is that businesses here should be designed to retain the residential character of the area. This can be accomplished by using subdued lighting and signage, using residential style architectural features, placing parking in the side or rear yards and not in front, keeping plenty of green space and trees around buildings, and limiting new buildings to sizes that are similar to nearby residential buildings.

**Industrial:**

This area is intended for light industrial uses including expansion of existing industry and the development of a possible light industry or heavy commercial business park development.

**School Reuse or Redevelopment:**

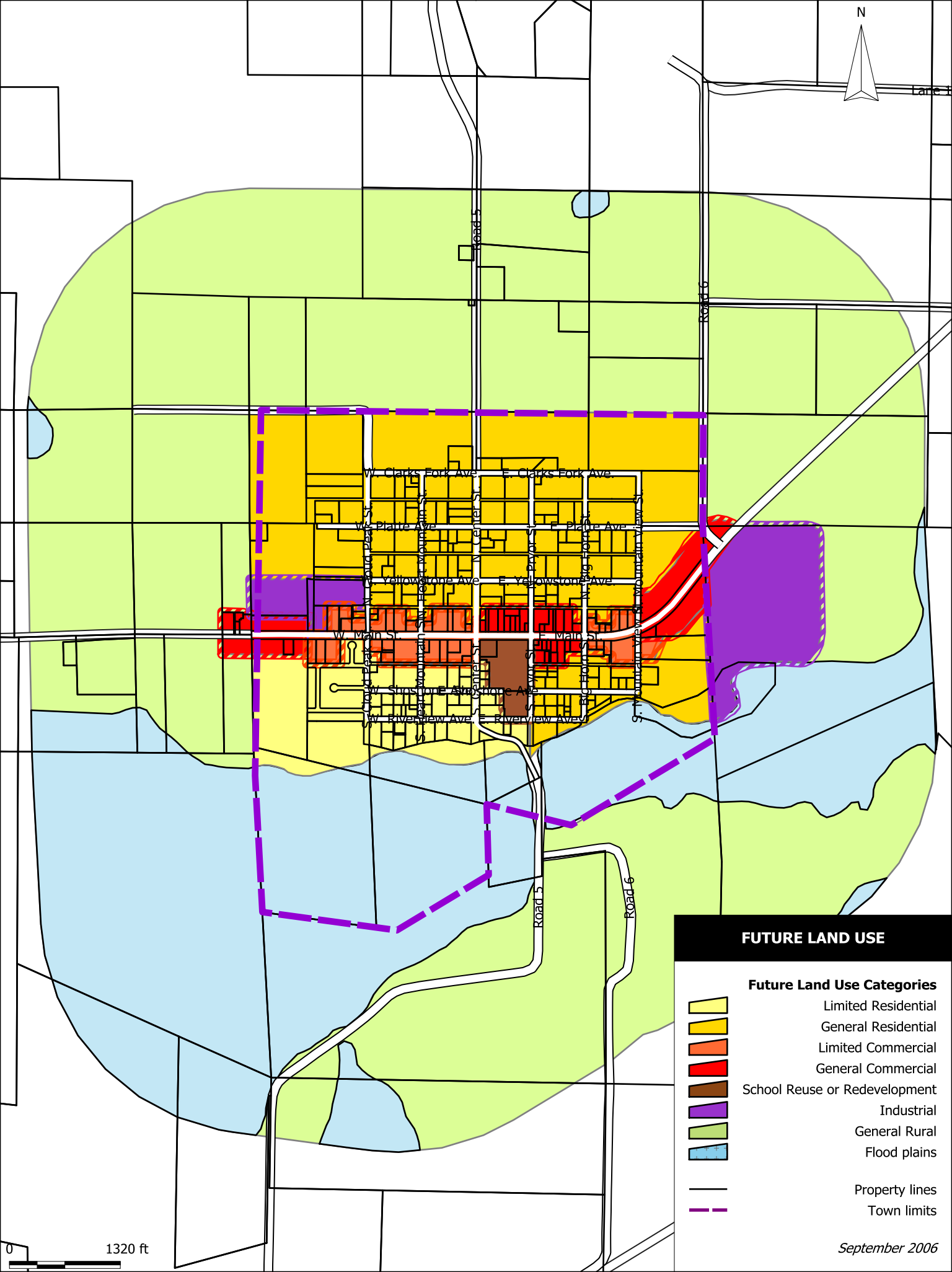
This area is the present site of the high school. Reuse of the building or the site without the building will occur here. The exact nature of reuse activities is under study at this time.

**General Rural:**

This area is outside the town limits and under county jurisdiction. However, state law provides that the Town has approval authority over subdivision developments in this area. It is intended that all residential subdivisions in this area should have lots of ten acres or larger.











**Flood Plain:**

This area is intended to largely remain in a natural state although limited, low density developments and activities can be allowed provided proper engineering safeguards are used.



**FUTURE LAND USE**

**Future Land Use Categories**

-  Limited Residential
-  General Residential
-  Limited Commercial
-  General Commercial
-  School Reuse or Redevelopment
-  Industrial
-  General Rural
-  Flood plains
-  Property lines
-  Town limits

1320 ft

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