

ORDINANCE NO. 1659

AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, TO ALLOW A BIOTECH INDUSTRY AND A BIOTECH CAMPUS AS A CONDITIONAL USE IN THE AGRICULTURAL RESIDENTIAL ZONING DISTRICT AND TO DEFINE BIOTECH INDUSTRY AND BIOTECH CAMPUS.

WHEREAS, the Sussex County Council adopted the Sussex County Comprehensive Plan update on December 10, 2002, and

WHEREAS, the Comprehensive Plan Update proposes allowing bio-tech industries and bio-tech campuses in the Low Density Area, and

WHEREAS, the Comprehensive Plan Update generally anticipates that the AR District be the Zoning District which would best accommodate the bio-tech campus and bio-tech industry;

NOW, THEREFORE THE COUNTY OF SUSSEX ORDAINS:

The Code of Sussex County is hereby revised to add the following amendments which would permit BIOTECH CAMPUS and BIOTECH INDUSTRY as a conditional use in Chapter 115.

1. Add to 115-4 - Definitions, the following:

BioTech Industry – The research, development and manufacture of products by using biotechnology primarily for agricultural application. For the purposes of this Ordinance, biotechnology is defined as the scientific manipulation of living organisms especially at the molecular genetic level to produce useful products. Examples of this include, but are not limited to, herbicide tolerant soybeans and insect and herbicide-resistant cotton. Gene splicing and the use of recombinant DNA (rDNA) are major techniques used. Applications also include the production of certain drugs, synthetic hormones, and bulk foodstuffs as well as the bioconversion of organic waste and use of genetically altered bacteria in the cleanup of oil spills.

BioTech Campus – An area consisting of at least 20 acres under one ownership and: 1) developed in such a way that there is a common theme of construction in bulk, area, height and the façade of multiple buildings; 2) with substantial landscaping throughout the entire site; 3) with natural, landscaped buffers using native vegetative species and surrounding the site; 4), within the site, buildings are used predominately by the BioTech Industry in a multi-purposed and interdisciplinary association with college or university level research, or research by an agri-chemical or related agricultural industry or research carried out jointly by an institution of higher education and an agri-chemical or related industry that is engaged in biotech research.

2. Add to 115-22 Conditional Uses, the following:

BioTech Campus

BioTech Industry not located within a BioTech Campus provided that such use is visually and acoustically screened from adjacent highways and property in such a manner that a reasonable passerby is not attracted to or aware of the establishment.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 1659 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 27TH DAY OF JANUARY 2004.

ROBIN A. GRIFFITH
CLERK OF THE COUNCIL