



2. The Board of Supervisors of the County of James City, Virginia, approves the issuance of the Bonds by the Authority to assist in the financing of the Project for the benefit of the Company to the extent required by the Internal Revenue Code of 1986, as amended (the Code), and Section 15.2-4906 of the Code of Virginia of 1950, as amended (the Virginia Code).
3. The approval of the issuance of the Bonds, as required by the Code and Section 15.2-4906 of the Virginia Code, does not constitute an endorsement to a prospective purchaser of the Bonds of the creditworthiness of the Company or the Project, and, as required by Section 15.2-4909 of the Virginia Code, the Bonds shall provide that neither the County nor the Authority shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefor and neither the faith or credit nor the taxing power of the Commonwealth of Virginia, the County, or the Authority shall be pledged thereto.
4. This Resolution shall take effect immediately upon its adoption.



Jack D. Edwards
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
SISK	AYE
MCLENNON	AYE
BRADSHAW	AYE
NERVITT	AYE
EDWARDS	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 23rd day of June, 1998.

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RESOLUTION

ADEQUATE PUBLIC SCHOOLS FACILITIES TEST

WHEREAS, during the 1997 Comprehensive Plan update, the Board of Supervisors expressed a desire, through a specific strategy incorporated into the Public Facilities chapter, to adopt an adequate public schools facilities test; and

WHEREAS, the "test," which would be applied to new developments needing a special use permit or rezoning, would require sufficient capacity in the school system to accommodate the additional school children generated by the development under consideration; and

WHEREAS, the task of drafting the policy was undertaken by one of the four citizen committees charged with updating the Zoning Ordinance; and

WHEREAS, on May 4, 1998, the Planning Commission recommended adoption of the draft policy by a unanimous vote; and

WHEREAS, after consideration of the draft policy, the Board amended the policy as described herein.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby endorse the following:

All special use permit or rezoning applications, except those listed below, should pass the test for adequate public school facilities.

- A proposed rezoning or special use permit application will be tested for adequate public school facilities. A proposed rezoning or special use permit application will pass the test if the schools which would serve the future development currently have adequate design capacity to accommodate the existing student population plus the additional school children generated by the development. For purposes of this policy, the schools shall be deemed adequate if the projected student population does not exceed 100 percent of the design capacity at the time of the application's review.
- If any of the applicable public schools which would serve the future residential development exceed 100 percent of the design capacity, then the application will not pass the test for adequate school facilities. However, if the affected public schools currently exceed design capacity, but the schools' student population will be brought under design capacity within three years of the time of the application's review through either physical improvements programmed in the CIP, and/or through a redistricting plan that was approved by the School Board prior to application, then the application will be deemed to have passed the test.

The following proposals would be exempt from the Adequate Public Schools Facilities test:

- family subdivisions; and