

PRIORITY HOUSING PROJECT FLOW CHART

Effective through January 1, 2027



DEFINITIONS

MIXED INCOME HOUSING



RENTAL HOUSING

≥15 years in service;
 ≥20% of the units have total annual cost of renting (*rent, utilities, and condominium association fees*) that **does not exceed 30%** of the gross annual income of a household at 80% of affordable housing standard.



OWNER OCCUPIED HOUSING

≥20% of housing units have annual ownership costs (*principal, interest, taxes, insurance, and condominium association fees*) that **do not exceed 30%** of the gross annual income of a household at 120% of affordable housing standard.

The **affordable housing standard** is highest of the following income amounts, per HUD standards: (i) the county median income; (ii) the standard metropolitan statistical area median income or; (iii) the statewide median income adjusted for the number of bedrooms -- as established and published annually by VHFA »

MIXED USE HOUSING

Mixed use means construction of both mixed income housing and construction of space for any combination of *retail, office, services, artisan and recreational and community facilities*.



Mixed use does not include industrial use.



At least **40%** of the gross floor area must be housing that meets the definition of mixed income housing.

Is the proposed project: (1) a discrete project; (2) located on a tract(s) of land; (3) that exclusively consists of *mixed income* or *mixed use* housing or a combination thereof?



If the project does not meet the definition of a Priority Housing Project, it might still be exempt from Act 250 permitting under the **Interim Housing Exemptions here.**



Where is the project located?

See *Interim Housing Exemption Map* »

Entirely within a designated:

Downtown District, Neighborhood Development Area, or Growth Center

At least **51%** of the parcel is within the ½ mile boundary of a *Downtown District, Neighborhood Development Area, or Growth Center*, in an area with permanent zoning and subdivision bylaws served by public sewer or water services or soils that are adequate for wastewater disposal

New Town Center in a Town
 ≥10,000

New Town Center in a Town:

Between 6,000 and 9,999

Less than 6,000

Number of Units:

<75

<50

Designated Village Center

No Act 250 permit required.*

If the project does not meet these requirements, it might still be exempt from Act 250 permitting under the **Interim Housing Exemptions here.**

* Disclaimer: This flow chart is provided for informational purposes only. Review the relevant law, consult with an attorney, or contact the District Office for a jurisdictional opinion (JO).

For projects utilizing the exemption under 10 V.S.A. sec. 6001(3)(D)(viii)(III), a JO must be requested on or before June 30, 2026 and the project must be substantially completed by June 30, 2029. If a project involves the demolition of one or more listed or eligible historic buildings, exemption eligibility may be impacted.