At least 20% of the housing units that are rented constitute affordable housing* (total annual cost of renting, including rent, utilities, and condo association fees, doesn’t exceed 30% of the gross annual income of a household at 80% of the highest of MSA, county, or state median income).

Definition of Mixed Income Housing

**Rental**
- At least 15% of units initial price is equal to or less than 85% of VHFA price limits
- At least 20% of units initial price is equal to or less than 90% of VHFA price limits

* Duration of rental affordability at least 15 years.

**Owner Occupied**
- At least 15% of units initial price is equal to or less than 85% of VHFA price limits
- At least 20% of units initial price is equal to or less than 90% of VHFA price limits

Definition of Mixed Use

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*.

Population and Number of Units

Priority Housing Projects do not exceed the following limits based on municipal population. See annual population estimates.

- 10,000 or more people – NO CAP ON NUMBER OF UNITS*
- 6,000 to 9,999 people – 74 UNIT CAP
- 3,000 to 5,999 people – 49 UNIT CAP
- Less than 3,000 people – 24 UNIT CAP

* Municipalities that qualify for no cap as of 2020 estimates: Burlington, Essex, South Burlington, Rutland City, Bennington, Brattleboro, Hartford, and Williston.
Flowchart for Existing Permits

See 10 V.S.A. § 6084 (f)

Is the project located on property subject to an existing Act 250 permit?

NO

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YES

Will the project comply with all conditions of any existing permit amendment?

NO

Act 250 Amendment Required

YES

Has applicant obtained consent of all parties or successors of interest to the original permit and any amendments?

NO

District Commission may authorize issuance of amendment without notice and hearing

YES

Project is likely to be a Priority Housing Project

Permit application must be filed and any review by the District Commission shall be limited to the changes to conditions not consented to by the party

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