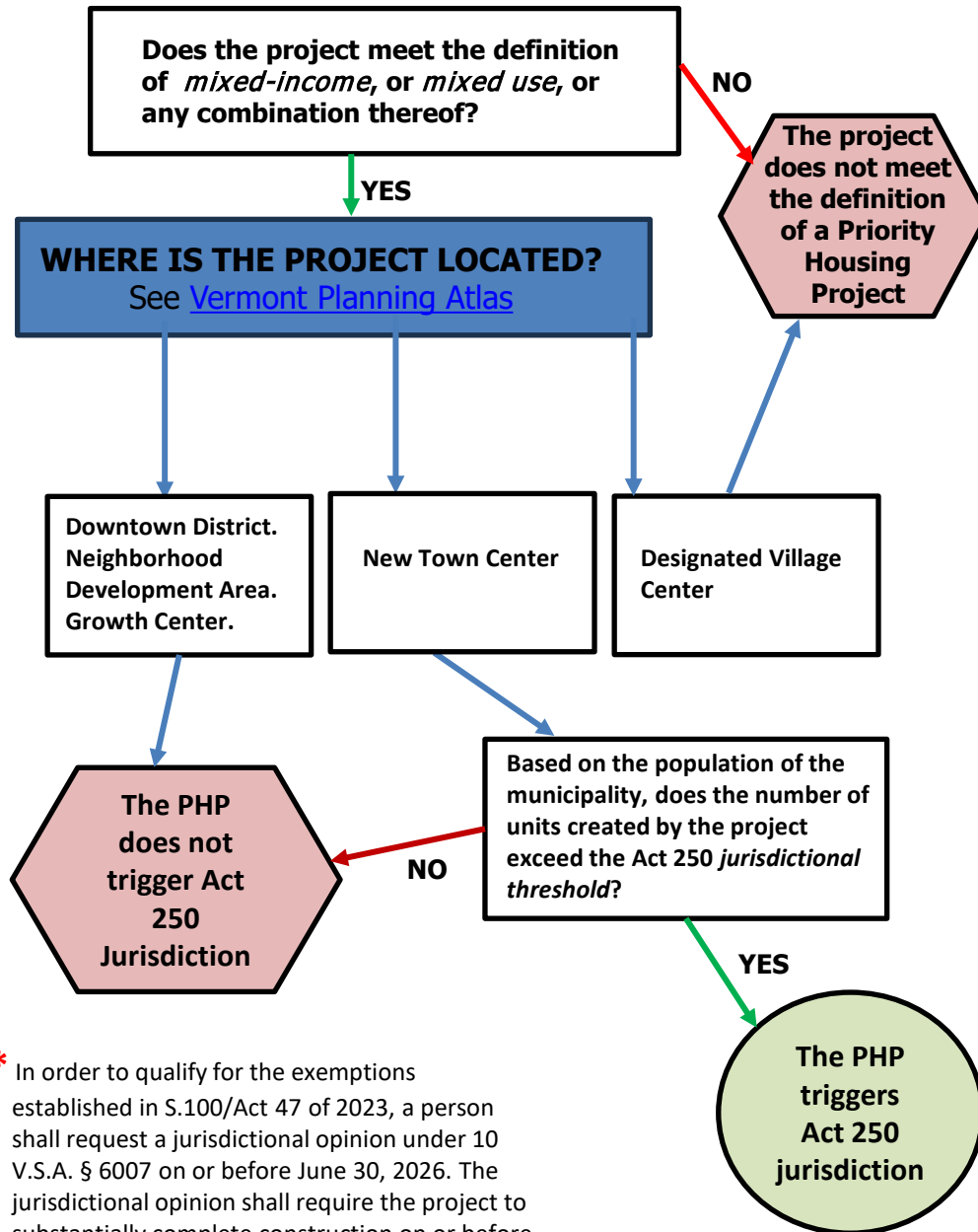


Priority Housing Project (PHP) Flowchart **Through 7/1/2026***



* In order to qualify for the exemptions established in S.100/Act 47 of 2023, a person shall request a jurisdictional opinion under 10 V.S.A. § 6007 on or before June 30, 2026. The jurisdictional opinion shall require the project to substantially complete construction on or before June 30, 2029 in order to remain exempt.

Definition of Mixed Income Housing

Rental	Owner-Occupied
For at least 15 years after being placed into service, at least 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.	At least 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.](#)

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 Thresholds for New Town Centers

Projects in New Town Centers trigger Act 250 jurisdiction if they exceed the following number of units based on municipal population. Other projects do not have a population threshold. See annual [population estimates](#).

- 10,000 or more – UNLIMITED NUMBER OF UNITS***
- 6,000 to 9,999 – 74 UNITS**
- 5,999 or fewer – 49 UNITS**

NOTE: Creation of 4 units or fewer in an existing structure count as 1 unit.

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