

S.138 Sec. 34  
Relevant Act 250 Definitions in Existing Law  
Office of Legislative Council March 17, 2015

P. 42 line 19 - from 10 V.S.A. § 6001

(27) “**Mixed income housing**” means a housing project in which the following apply:

(A) Owner-occupied housing. At the option of the applicant, owner-occupied housing may be characterized by either of the following:

(i) at least 15 percent of the housing units have a purchase price which at the time of first sale does not exceed 85 percent of the new construction, targeted area purchase price limits established and published annually by the Vermont Housing Finance Agency; or

(ii) at least 20 percent of the housing units have a purchase price which at the time of first sale does not exceed 90 percent of the new construction, targeted area purchase price limits established and published annually by the Vermont Housing Finance Agency;

(B) Rental Housing. At least 20 percent of the housing units that are rented constitute affordable housing and have a duration of affordability of no less than 20 years.

(28) “**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, provided at least 40 percent of the gross floor area of the buildings involved is mixed income housing. “Mixed use” does not include industrial use.

P. 43 lines 1-2 – from 10 V.S.A. § 6001(3)(A)(iv):

(I) A priority housing project shall constitute a development under this subdivision (iv) only if the number of housing units in the project is:

(aa) **275** or more, in a municipality with a population of 15,000 or more;

(bb) **150** or more, in a municipality with a population of 10,000 or more but less than 15,000;

(cc) **75** or more, in a municipality with a population of 6,000 or more but less than 10,000;

(dd) **50** or more, in a municipality with a population of 3,000 or more but less than 6,000;

(ee) **25** or more, in a municipality with a population of less than 3,000; and

(ff) notwithstanding subdivisions (aa) through (ee) of this subdivision (iv)(I), **10** or more if the construction involves the demolition of one or more buildings that are listed on or eligible to be listed on the State or National Register of Historic Places. However, demolition shall not be considered to create jurisdiction under this subdivision if the Division for Historic Preservation has determined that the proposed demolition will have no adverse effect, will have no adverse effect if specified conditions are met, or will have an adverse effect that will be adequately mitigated. Any imposed conditions shall be enforceable through a grant condition, deed covenant, or other legally binding document.