



Executive Office of
Housing & Livable Communities

Seasonal Communities & Year-Round Housing

Cape and Island Municipal Leaders
Association

October 10, 2025



What is the Seasonal Communities Designation?

(1/2)



Created by the Affordable Homes Act, signed into law August 2024

Currently includes:

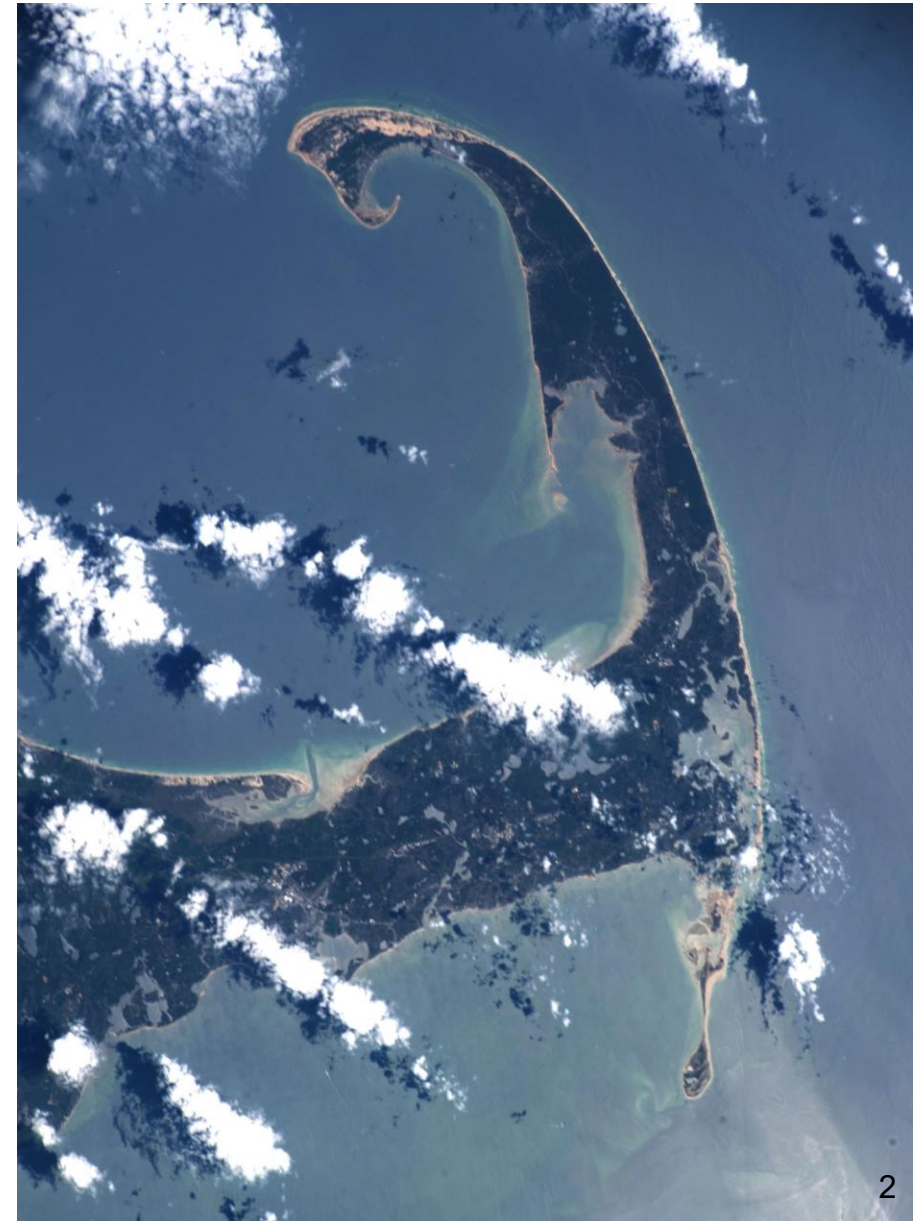
- Dukes and Nantucket Counties (all municipalities)
- Barnstable County municipalities with 35% or more seasonal housing stock*
- Berkshire County municipalities with 40% or more seasonal housing stock**

Further designations will consider:

- High rates of short-term rentals
- Significant seasonal population increase
- Large disparities between AMI and income to affordably purchase median-priced home
- Percentage of seasonal housing stock
- High variations in monthly employment

***Barnstable County inclusions:** Brewster, Chatham, Dennis, Eastham, Harwich, Orleans, Provincetown, Truro, and Wellfleet

****Berkshire County inclusions:** Alford, Becket, Hancock, Monterey, Mount Washington, Otis, Stockbridge, Tyringham



What is the Seasonal Communities Designation?

(2/2)



Empowers communities with unique tools to meet their unique challenges, including:

- Year-Round Housing Trusts and Occupancy Restrictions
- Essential Public Employee Housing Preference
- Year-Round Artist Housing
- Residential Property Tax Exemption Increase

Requires that communities:

- Allow by-right development of year-round, attainable housing on undersized lots
- Allow by-right development of tiny houses for use as year-round housing

Draft Regulations: Key Definitions



Component	Summary of Draft
Attainable Housing Unit	• Must be Year-Round Housing Unit • Up to 250% AMI or lower limit established locally • Not counted toward SHI unless it also satisfies requirements for SHI inclusion
Single-family Residential Zoning District	• Any district where single-family residential dwellings are permitted, whether as-of-right or by special permit
Year-round Housing Unit	• Dwelling unit subject to year-round housing occupancy restriction
Year-round Housing Occupancy Restriction	• Restriction limiting occupancy to individuals/households who have signed an agreement with the Seasonal Community to occupy a dwelling unit for 10+ months of a 12-month period • Allows reasonable exceptions for temporary absences, as established in agreement with municipality

NOTE: THIS PRESENTATION OFFERS A PLAIN LANGUAGE OVERVIEW OF DRAFT REGULATIONS. THE SUMMARIES PROVIDED ARE NOT COMPLETE RESTATEMENTS OF DRAFT REGULATIONS. CURRENT DRAFT REGULATIONS ARE SUBJECT TO CHANGE BASED ON PUBLIC COMMENT.

Draft Regulations:

Year-Round Housing Trusts & Restrictions



Component	Summary of Draft
Occupancy Restrictions	• 30-yr term
Trusts	• Allows for the formation of regional trusts, with trusts' term established by member municipalities • Establishes 3-year terms for members • Mirror structure, powers of Municipal Affordable Housing Trusts (MAHTs), except: • Exemption from taxation • Exemption from 30B for intra-municipal transfer

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Draft Regulations: Zoning Requirements



Component	Summary of Draft
Overall	Requires that municipalities adopt zoning that permits undersized lot and tiny house development as-of-right in all single-family residential zoning districts
Undersized Lots	- Limits as-of-right requirement to year-round, attainable housing units - Prohibits residential units on undersized lots from being rented for less than 6 months
Tiny Houses	- Limits as-of-right requirement to year-round housing units - Requires tiny houses to comply with state building code and local enhancements (e.g. opt-in energy code), applicable water and sewer requirements, floor-to-area ratio requirements - Allows municipalities to allow, further regulate, or prohibit movable tiny houses

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Draft Regulations:

Employment- and Vocation-Specific Housing



Component	Summary of Draft
Essential Public Employee Preference	• A Seasonal Community must support development through direct financial assistance, property tax relief, or donation of municipal land for the preference to be applied • Includes households with at least one municipal, county, or state employee (defined in line with Conflict of Interest Law (M.G.L. 268A)) essential for public health and safety in a Seasonal Community • Includes, but is not limited to: teachers at public institutions, public works employees, publicly employed first-responders, town administrators, and other employees essential for municipal operations • Beneficiaries may be employed full-time, part-time, intermittently, or on a volunteer basis
Artist Housing	• Municipalities may develop year-round housing for artists • Artist defined as a person who "by vocation produces or supports artistic and literary activities," allowing flexibility for municipalities to further define

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Draft Regulations:

Residential Tax Exemption



Component	Summary of Draft
Parameters	Municipalities which have already adopted the Residential Property Tax Exemption may increase the exemption to 50% or less of the avg. assessed value of all class one, residential parcels within that municipality
Implementation	- Municipalities must adopt the increase at the option of their select board, or their mayor with the approval of their city council - Municipalities must then, upon request, provide the Commissioner of Revenue with evidence of a) designation acceptance and b) vote to increase the exemption - Still subject to other requirements of M.G.L. c.59, § 5C, which establishes exemption authority

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Seasonal Communities Next Steps



Regulation Next Steps

- **September 26:** Draft regulations were made available for public comment
- **October 31:** Public Comment period will close; EOHLC will incorporate feedback
- **Mid November:** Finalized regulation filed with Secretary of the Commonwealth

Advisory Council Next Steps

- **November:** Advisory Council Meeting (Date, Location TBD); presentation of draft annual report, other updates
- **December:** Annual Report of Advisory Council to Legislature