



# Orleans Housing Update

May 2025

Town of Orleans  
Planning & Community  
Development

## Housing Updates

- **22 Old Tote Road:** The Select Board approved a plan by the Affordable Housing Trust to support 2 new residential rental units at 22 Old Tote Road. The Trust anticipates issuing an RFP for development/ownership of the property in June.
- **Short-Term Rental Data:** The Town has successfully engaged Granicus (Host Compliance) to collect information on short-term vacation rentals being advertised and rented in Orleans. This data will be used to ensure all units are registered with the Town.
- **Year-Round Residential Rental Incentive Program Update:** A new program to encourage existing residential units to be rented to year-round residents is set to launch in August! More details coming soon.
- Orleans is currently assisting 8 families through its **Rental Assistance Program**, including 2 households with children. The program continues to accept applications! [haconcapecod.org/program-services/rental-voucher-programs/thrive/](https://haconcapecod.org/program-services/rental-voucher-programs/thrive/)
- The **Barnstable County HOME Consortium** published their [5-year plan](#) and received an annual allocation of \$408,614 from HUD to create and preserve affordable housing across Cape Cod.
- Barnstable County announced they will continue the **Shared Regional Housing Office** for another three years.

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## Annual Town Meeting Results

- Next Steps -

### **ARTICLE 15: Affordable Housing Trust Definition of Moderate-Income Housing.**

*Allows the Housing Trust to assist with the creation and preservation of housing for households earning up to 120% of the Area Median Income. After approval by the Attorney General, the Declaration of Trust will be updated to reflect the 120% limit.*

### **ARTICLE 20: Seasonal Community Designation.**

*Gives the towns access to new housing tools and grant preference. Lt. Governor Driscoll met with the Seasonal Communities Advisory Council in Provincetown this month as they continue to work on drafting regulations. Resident listening sessions are expected to be held during the summer and draft regulations are expected in early August.*

## Partners in Housing

- The Cape Cod Commission published a Report on establishing a **regional housing land bank** and a **community land trust**. [capecodcommission.org/our-work/clt-hlb](https://capecodcommission.org/our-work/clt-hlb)
- New to Planning or Zoning Board? Check out the **Citizen Planner Training Collaborative** Spring webinars: [masscptc.org/](https://masscptc.org/)
- CDP's **Lower Cape Housing Initiative** (LCHI) **Summer Regional Peer Group** is on June 11th from 3-5pm. Missed a LHCI Workshop? Catch up on the five workshops [here](#).

## May Spotlight: Chapter 40B and Comprehensive Permits

### Frequently Asked Questions

Chapter 40B is a Massachusetts state law that promotes affordable housing. It establishes that 10% of a community's year-round housing should be affordable to low-income people and/or subsidized by a federal or state program. Progress towards this threshold is tracked on a list called the **Subsidized Housing Inventory**. The law promotes housing production by establishing a single **Comprehensive Permit** process for all approvals required by local bylaws. At least 25% of the units in a 40B project must be deed-restricted and affordable to households earning less than 80% of the area median income. To be eligible for a Comprehensive Permit, a project must be approved by a state "subsidizing agency".

There's a lot to know about 40B. If you're interested, check out resources like this great [presentation](#) from the Shared Regional Housing Service Office, or this [handbook](#) for Zoning Boards by MHP.

**Here are some of the most common questions asked in the Orleans Planning office.**



#### **I've heard some comprehensive permits described as "friendly". What does that mean?**

A "friendly 40B" is a term for a project permitted under 40B's Local Initiative Program (LIP). Under this program, a developer presents a project to the Town as a first step in the process, and the town can find that the project meets local goals (such as those in a master plan or housing plan) before it's submitted to the state. A "conventional" comprehensive permit proceeds directly to the state for eligibility review – but conventional comprehensive permits can be, and often are, negotiated in a friendly matter with a town.

#### **Do Town officials and the public have input on projects permitted with a Comprehensive Permit?**

Yes. The Zoning Board of Appeals has jurisdiction over all local regulations, including zoning, land division, historic districts, and others and can grant waivers from those regulations. The ZBA's role is to balance the need for housing with local concerns about health, safety, the environment, design, and others and to solicit comment from the public at advertised hearings. (Note, developments permitted under a comprehensive permit are not reviewed by the Cape Cod Commission.)

**What is Orleans' SHI percentage?** If you look at the "official" record, it says 9.15%. The state keeps this inventory of "subsidized" units for all 351 cities and towns, and it isn't updated every time a new project gets submitted. It's "officially" updated about every two years. Orleans currently has 388 units out of 3,389, or 11.4% of units that qualify for inclusion on the SHI, counting [19 West Road](#) and [107 Main Street](#).

**Great! Orleans has exceeded the 10% threshold. Have we met our housing goals?** The Town of Orleans has officially met the "fair share" requirement of having at least 10% of its year-round housing units on the SHI, but this doesn't mean we've met the needs of those living and working in Orleans. Our most recent [housing needs assessment](#) shows that one in four residents are paying more than they can afford for housing. The income needed to buy a home in Orleans is four times the median income earned by families, and year-round rental housing is extremely scarce.

**Has 40B been effective in producing housing?** In Orleans, projects like [107 Main Street](#) and the 'Phare' development at the former Cape Cod 5 headquarters were possible because of 40B. Since its passage in 1969, [Chapter 40B](#) has supported almost all affordable housing construction in Massachusetts outside of the largest cities. Approximately 70,000 total units have been produced under Chapter 40B, of which over 35,000 units are restricted to households making less than 80% of the area median income AMI.