

From: [Stacy](#)
To: [MCP-Chair](#)
Cc: stacykobrick@gmail.com
Subject: 7272 Wisconsin Ave
Date: Wednesday, June 17, 2020 11:59:37 AM

Dear Chairman Anderson and Planning Board Commission,

I am writing to express concern about the proposed amendment that would allow 80 *needed* residential units in the new apartment building at [7272 Wisconsin Ave](#) to convert to hotel units. This is over 17% of the total units in the project and more units than the number of MPDUs being provided. This would reduce the amount of available housing coming online at a time when more residential housing units are needed to meet the county's housing targets. This at a time when the existing hotels in the area have been struggling because of the pandemic and when there are a number of other hotels units which are going to be coming online in the area. To approve the request is inconsistent with Montgomery County's goal of increasing housing. It important to increase total housing, but it is also important to increasing affordable housing units.

Some Councilmembers have asserted that there needs to be more housing supply to moderate prices and that it is important even for relatively expensive units to be built because that will also help with "filtering" overall supply which will ultimately, some argue, lower housing prices. If you assume filtering contributes to lowering or stabilizing housing rates, then reducing the number of residential units undermines the goal of increasing housing and more affordable housing.

As Councilmember Riemer was quoted in a Greater Greater Washington piece:
"Supply matters. The more the market can serve those who can pay for more expensive housing [from increased supply], the better chance for moderate- and lower-income people to find lower-priced housing available. " Further, Councilmember Riemer has said "[o]ur urban areas have a lot of lower cost housing that wealthier people are occupying because its all there is. That puts those units out of reach from middle income residents. Bethesda is a good example -- the older buildings that might otherwise be affordable for average income people are occupied by people who could afford to pay more but don't have any units to occupy near the job center."

The County Council passed the Short Term Rental bill to address this issue. It was clear that the bill was intended to benefit homeowners, not corporations and hotels. "The regulations also are designed to prevent apartment buildings from being converted into hotels, according to Jeff Zyontz, who advises the council on zoning issues."

<https://bethesdamagazine.com/bethesda-beat/real-estate/8-things-to-know-about-montgomery-countys-new-airbnb-and-short-term-rental-policy/>

Approving the request is contrary to Council's intent and overall policy goals. Please do not approve the request to convert these 80 needed residential units to hotel units.

Thank you for your time and consideration.

Regards,
Stacy Kobrick
4552 Windsor Ln

Bethesda, MD 20814



8 Things to Know About Montgomery County's New Airbnb and Short-Term Rental Policy

Council approved two measures Tuesday to regulate and legalize emerging home-rental industry

BY ANDREW METCALF

Follow @AJwatchMD | Published: 2017-10-10 17:34

Montgomery County residents
renting out their homes on short-
term rental websites such as Airbnb

and HomeAway soon will have a number of new regulations to meet.

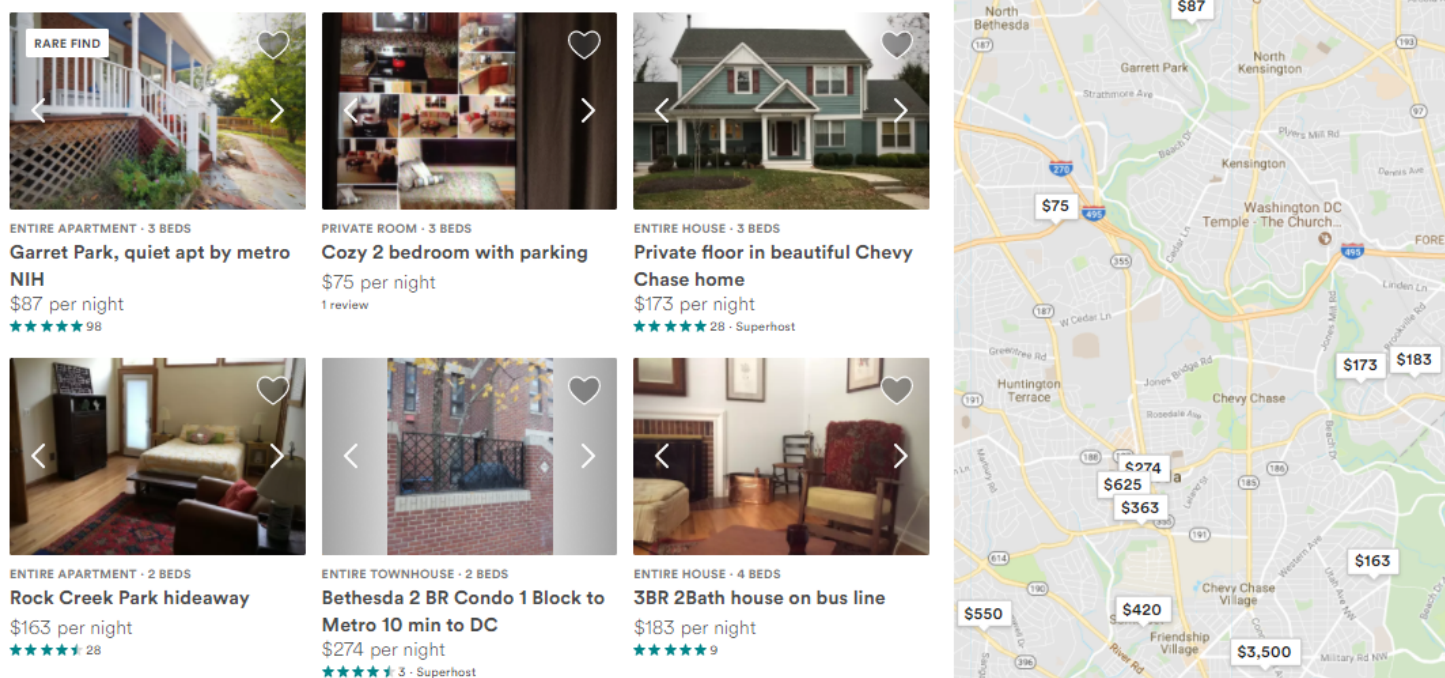
The County Council on Tuesday unanimously approved a zoning text amendment and a bill that adds restrictions on how many people can stay in a rental, how many days an owner can rent a home and which homes can be rented for short periods.



“The core of the proposal is that in Montgomery County, we want every home [rental] to have a homeowner who lives there,” Council member Hans Riemer, who sponsored the regulatory legislation, said. “We don’t want to open our residential housing to investors to come in and buy properties and turn them into hotels where they own five or six hotels in the county that are essentially houses.”

Riemer said the regulations represented a compromise between residents worried that home rentals could bring unwanted noise and traffic to their neighborhoods and residents who already rent their homes to make extra income.

“We’re trying to prevent abuse while not standing in the way of the changing times we’re in,” Riemer said, referring to the growth in the short-term home-rental industry.



A screenshot from Airbnb showing listings in the Bethesda area for the weekend of Oct. 13-15, 2017.

The regulations also are designed to prevent apartment buildings from being converted into hotels, according to Jeff Zyontz, who advises the council on zoning issues.

Here are eight things residents should know about the new regulations, which go into effect July 1, 2018:

1. Only primary residents of a home can rent it out. This regulation is designed to prevent businesses from buying up a number of homes in the county and leasing them out on short-term rental websites.
2. Property owners can't rent out farm tenant dwellings or accessory apartments. The county included this regulation because council members believed these units should be used as long-term residences for farm workers, or in the case of an English basement or detached apartment, for a resident on a long-term lease.
3. Residences can be rented out for a maximum of 120 days in a calendar year if the property owner is absent. This would allow people who go on a long summer vacation or travel to a winter

house to rent their home out while they're away, according to Council member Sidney Katz, who put forth an amendment extending the period from 90 to 120 days. The limit on the number of days in a calendar year is also a check to prevent homes from becoming hotels throughout the year.

4. The maximum number of adult overnight guests per short-term rental is six and the maximum number of adults per bedroom is two. The measure aims to prevent short-term rentals from becoming overcrowded or enabling large parties to take place.

5. Property owners must apply for a license to use their homes as short-term rentals with the county's Department of Health and Human Services, which also regulates hotels in the county.

6. To obtain a license, owners must notify immediate neighbors and their homeowners'/ condo association, if there are any, that they plan to rent out their home or unit. The property owner must have paid all relevant taxes and comply with zoning restrictions and must keep a record of the guests who stay there. The licenses are issued for one year and require an application to be renewed. The Department of Health and Human Services will set the license fee based on its costs to issue licenses and enforce the regulations.

7. Property owners have to post their license number on Airbnb or other short-term rental websites along with their listing to rent their home or a room in their home. This will help with enforcement, according to county officials, because Health and Human Services employees can flag listings that failed to obtain a license. Riemer said Airbnb agreed to include a field for the license number on listings that owners fill out on the website. The county plans to enforce the regulations if complaints are filed against specific properties.

8. Prior to the regulations going into effect, short-term rentals are technically illegal in the county. However, the county is currently taxing them and not actively shutting down short-term rentals taking place. The rentals are subject to the county's [transient housing tax](#), which is 7 percent of the rental cost.

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