



CITY OF SOMERVILLE, MASSACHUSETTS LAW DEPARTMENT

September 12, 2024

Somerville City Council
City Hall
Somerville, MA

Re: Response to Item #24-1290

Dear Honorable Council Members:

You have asked whether item #24-1290, a Zoning Map Amendment to change the zoning district of 228, 230, 232, 234, 236 Pearl Street from Mid-Rise 4 (MR4) to Mid-Rise 6 (MR6) constitutes illegal spot zoning. I have reviewed the proposal and written submissions, as well as the facts provided by planning staff and the history of the prior zoning changes. It is my opinion, based on the information I have been provided, that the proposed map amendment is unlikely vulnerable to an illegal spot zoning challenge. The proposed Map amendment does not single out a single lot purely for the private benefit of a single property owner. The proposed map amendment would is not arbitrary, unreasonable, or substantially unrelated to the public health, safety, convenience, morals or welfare and, would likely be considered a rational exercise of the City's land use authority.

Please notify me if you require a more detailed opinion with citation to legal authorities.

Sincerely,

Cynthia Amara
City Solicitor



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