

(4) the Major Development Project is consistent with the general requirements adopted by the City Planning Commission as design guidelines for Major Development Projects, if any; and

(5) the Major Development Project would have no material adverse impact on properties, improvements or uses, including commercial uses, in the surrounding neighborhood.

Sec. 4. Subdivision 14 of Subsection U of Section 12.24 is amended by adding a new Paragraph (e) to read:

**(e) Home Improvement Stores.**

(1) The City Planning Commission, or the City Council on appeal, may require written Day Laborer operating standards in accordance with Subparagraph (2) of this paragraph to be submitted to the Department for review and approval within 30 days of the mailing of the determination as a condition of approval of any Home Improvement Store. The Day Laborer operating standards will not be required if the City Planning Commission or the City Council on appeal makes the following findings:

(i) There is no existing Day Laborer population in the vicinity of the site proposed for the Home Improvement Store;

(ii) A significant number of Day Laborers are not expected to congregate in and around the Home Improvement Store for the purpose of seeking employment;

(iii) The congregation of Day Laborers in and around the Home Improvement Store will not result in increased trash around the site, increased noise or impede vehicular and pedestrian access to and from the site, as well as throughout its parking lot and adjacent sidewalks;

(iv) The congregation of Day Laborers in and around the Home Improvement Store will not cause potential adverse traffic, trash and loitering impacts to the commercial and residential areas surrounding the site; and

(v) Public or private security is available or economically feasible to reduce or eliminate the potential adverse impacts related to the presence of Day Laborers seeking employment at the Home Improvement Store.

(2) The written Day Laborer operating standards may include, but not be limited to, the following:

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Deputy: B. GREENES

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