[Street Artist Spaces - Hallidie Plaza - East of 5th Street]

Resolution approving re-designation of 47 selling spaces at Hallidie Plaza, east of 5th Street, for street artists certified by the Arts Commission, City and County of San Francisco; exempting said spaces for one year from the regulations of Police Code Section 2405(c)(3), (4), and (11), relating to size of space and distance between street artists.

WHEREAS, The Street Artists Ordinance adopted by the voters of San Francisco as Proposition "L" at the election held on November 4, 1975, authorizes the Board of Supervisors, by resolution, to designate sales areas where any street artist or craftsperson previously certified may sell art or craft items; and

WHEREAS, The Board of Supervisors by Resolution No. 572-77 previously designated fifty-one (51) spaces at Hallidie Plaza, east of 5th Street, as a street artist sales area; and

WHEREAS, The Union Square Business Improvement District, in an effort to upgrade Hallidie Plaza to be a more inviting place for people to gather, has designed a uniform street artist booth to improve the businesses of street artists; and

WHEREAS, The Union Square Business Improvement District has proposed a voluntary one-year pilot program of providing the uniform booths to street artists for their usage in street artist spaces at Hallidie Plaza; and

WHEREAS, The Arts Commission, on October 1, 2012, unanimously voted to approve the concept of a voluntary pilot program at Hallidie Plaza submitted by the Union Square Business Improvement District for street artists to display their wares in uniform booths furnished by the Union Square Business Improvement District; and

WHEREAS, The size of each uniform booth would be three (3) feet wide by five (5) feet long by seven (7) feet tall, thereby exceeding the length of a street artist space by one (1) foot and its height by two (2) feet; and

WHEREAS, The size of each uniform booth would extend by one (1) foot into the area of five (5) feet which is required for the distance between street artists; and

WHEREAS, The street artist spaces at Hallidie Plaza, in order to accommodate the uniform booths, would require their exemption from the regulations of Police Code Section 2405(c)(3), (4) and (11) relating to size of space and distance between street artists; and

WHEREAS, The Arts Commission, on October 1, 2012, unanimously voted to request the Board of Supervisors to issue a temporary one (1) year exemption of Hallidie Plaza street artist spaces from the regulations of Police Code Section 2405(c)(3), (4) and (11); and

WHEREAS, Ordinance No 388-83 authorizes the Board of Supervisors in a resolution designating or re-designating spaces in a street artist sales area to exempt the area from one or more of the regulations set forth in subsection (c) of Police Code Section 2405 if the Board finds that the exemption will not be inconsistent with or interfere with the purposes of the regulation from which the area is exempted; and

WHEREAS, The Board of Supervisors finds that exemption of the street artist spaces at Hallidie Plaza from the regulations of Police Code Section 1405(c)(3), (4) and (11), relating to size of space and distance between street artists, will not be inconsistent with or interfere with the purposes of the regulations; now, therefore, be it

RESOLVED, That the remaining forty-seven (47) selling spaces of the original fifty-one (51) spaces at Hallidie Plaza are hereby re-designated for street artists certified by the Arts Commission; and, be it

FURTHER RESOLVED, That the forty-seven (47) spaces at Hallidie Plaza hereby re-designated for street artists are exempt for a period of one (1) year from the provisions of

Police Code Section 2405(c)(3), (4) and (11) which prohibits street artists from selling in an area more than five (5) feet above any sidewalk, in an area more than four (4) feet long, and within five (5) feet of each other.