

File No. 130005

Committee Item No. 1

Board Item No. 6

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date February 11, 2013

Board of Supervisors Meeting Date February 26, 2013

#### Cmte Board

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| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution                                   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Introduction Form                            |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER (Use back side if additional space is needed)

- |                                     |                                     |       |
|-------------------------------------|-------------------------------------|-------|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Map   |
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Completed by: Alisa Miller Date February 8, 2013

Completed by: Alisa Miller Date February 20, 2013

An asterisked item represents the cover sheet to a document that exceeds 25 pages.  
The complete document can be found in the file.

1 [Street Artist Spaces - Market Street, Spear to Steuart Streets]

2  
3 **Resolution approving designation of six selling spaces on Market Street, north side,**  
4 **Spear to Steuart Streets, for street artists certified by the Arts Commission; and**  
5 **exempting said spaces from the regulations of Police Code, Section 2405, relating to**  
6 **street artist display size.**

7  
8 WHEREAS, The Street Artists Ordinance adopted by the voters of San Francisco as  
9 Proposition "L" at the election held on November 4, 1975, authorizes the Board of  
10 Supervisors, by resolution, to designate sales areas where any street artist or craftsperson  
11 previously certified may sell art or craft items; and

12 WHEREAS, The Arts Commission on March 5, 2012 unanimously voted to request the  
13 Board of Supervisors for six (6) months designation of six (6) temporary spaces on the north  
14 side of Market Street, between Spear and Steuart Streets; and

15 WHEREAS, The Board of Supervisors in Resolution No.140-12 approved for six (6)  
16 months temporary designation of the six (6) spaces on the north side of Market Street,  
17 between Spear and Steuart Streets; and

18 WHEREAS, The Arts Commission on December 3, 2012, unanimously voted to  
19 request the Board of Supervisors for permanent designation of the six (6) spaces on the north  
20 side of Market Street, between Spear and Steuart streets; now, therefore, be it

21 RESOLVED, That the following selling spaces are hereby designated for street artists  
22 certified by the Arts Commission:

23 Spaces:

24 6 – Market Street, north side, Spear to Steuart Streets

1 FURTHER RESOLVED, That the six (6) spaces hereby designated on Market Street,  
2 north side, Spear to Steuart Streets, are exempt from the provisions of Police Code, Section  
3 2405(c)(1), (c)(2), (c)(3), and (c)(4) which prohibit street artists from selling, offering for sale or  
4 soliciting offers to purchase on any sidewalk in an area more than four and one-half (4 ½) feet  
5 from the curb line of any sidewalk, more than five (5) feet above any sidewalk, and more than  
6 four (4) feet long; and be it

7 FURTHER RESOLVED, That the displays of street artists selling, offering for sale or  
8 soliciting offers to purchase in the six (6) spaces on Market Street, north side, Spear to Stuart  
9 Streets, shall be not more than fourteen (14) feet from the curb line of the sidewalk, not within  
10 four (4) feet of the curb line of the sidewalk, not more than seven (7) feet above the sidewalk,  
11 and not more than ten (10) feet long.

January 2, 2013

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2013 JAN -3 PM 2:58

San Francisco  
Arts Commission

Edwin M. Lee  
Mayor

Tom DeCaigny  
Director of  
Cultural Affairs

Programs:  
Civic Art Collection  
Civic Design Review  
Community Arts & Education  
Cultural Equity Grants  
Public Art  
SFAC Galleries  
Street Artist Licensing

25 Van Ness Avenue, Ste. 345  
San Francisco, CA 94102  
tel 415-252-2590  
fax 415-252-2595  
sfartscommission.org  
facebook.com/sfartscommission  
twitter.com/SFAC

Ms. Angela Calvillo  
Clerk of the Board  
Board of Supervisors  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**Subject:** Resolution approving designation of 6 selling spaces on Market Street, north side, Spear to Steuart streets, for street artists certified by Arts Commission; exempting spaces from Police Code Section 2405 relating to street artist display size.

Dear Ms. Calvillo:

On behalf of the Arts Commission and its licensed street artists, we are respectfully requesting that you please submit to the Board the enclosed resolution approving designation of six (6) street artist selling spaces on Market Street, north side, Spear to Steuart streets, and exempting the spaces from the regulations of Police Code Section 2405(c)(1), (c)(2), (c)(3), and (c)(4), which relate to street artist display size.

The six spaces were previously approved by the Board of Supervisors in Resolution No. 142-12 for temporary designation of six months. The artists have used the spaces (identified as "B-7" through "B-12" on the attached map) and found them lucrative. On December 3, 2012, the full Arts Commission unanimously voted to request the Board of Supervisors for permanent designation of the spaces subject to their exemption from the above Police Code section.

Ordinance No. 388-83 authorizes the Board of Supervisors in a resolution designating or re-designating spaces in a street artist area to exempt the area from one or more of the regulations of Police Code Section 2405(c) so long as 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. (Since 1983, the Board has designated and re-designated various street artist spaces in over 40 resolutions.)



City and County of  
San Francisco

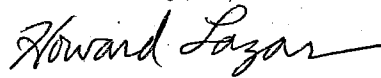
12/2013

We would greatly appreciate your submitting the enclosed resolution to the Board for its referral to the Land Use Committee.

An electronic version of this legislation is also being sent to you.

If you have questions, please call me: 252-2583.

Sincerely,



Howard Lazar  
Street Artists Program Director

Attachments: (a) Original resolution draft and 4 copies  
(b) Map of spaces on Market Street, Spear to Steuart streets (includes spaces "B-7" through "B-12")

Cc: Arts Commissioners Greg Chew, John Calloway, Amy Chuang,  
Jessica Silverman – Street Artists Program Committee  
Director of Cultural Affairs Tom DeCaigny  
Deputy Director Rebekah Krell  
Street Artists Program Assistant Alyssa Licouris

