

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

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

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

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

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

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

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

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

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

6 WHEREAS, The street artist spaces at Hallidie Plaza, in order to accommodate the
7 uniform booths, would require their exemption from the regulations of Police Code Section
8 2405(c)(3), (4) and (11) relating to size of space and distance between street artists; and

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

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

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

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

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

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

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