

1 [Planning Code - Landmark Designation - Carnaval Mural]

2

3 **Ordinance amending the Planning Code to designate Carnaval Mural, located**
 4 **at 1311-1315 South Van Ness Avenue, Assessor's Parcel Block No. 6519, Lot No. 039,**
 5 **as a Landmark consistent with the standards set forth in Article 10 of the Planning**
 6 **Code; affirming the Planning Department's determination under the California**
 7 **Environmental Quality Act; and making public necessity, convenience, and welfare**
 8 **findings under Planning Code, Section 302, and findings of consistency with the**
 9 **General Plan, and the eight priority policies of Planning Code, Section 101.1.**

10 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
 11 **Additions to Codes** are in *single-underline italics Times New Roman font*.
 12 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
 13 **Board amendment additions** are in double-underlined Arial font.
 14 **Board amendment deletions** are in ~~strikethrough Arial font~~.
 15 **Asterisks (* * * *)** indicate the omission of unchanged Code
 16 subsections or parts of tables.

14

15 Be it ordained by the People of the City and County of San Francisco:

16

17 Section 1. CEQA and Land Use Findings.

18 (a) The Planning Department has determined that the actions contemplated in this
 19 ordinance comply with the California Environmental Quality Act (California Public Resources
 20 Code Sections 21000 *et seq.*). Said determination is on file with the Clerk of the Board of
 21 Supervisors in File No. 231034 and is incorporated herein by reference. The Board of
 22 Supervisors affirms this determination.

23 (b) Pursuant to Planning Code Section 302, the Board of Supervisors finds that the
 24 proposed landmark designation of Carnaval Mural, located at 1311-1315 South Van Ness
 25 Avenue, Assessor's Parcel Block No. 6519, Lot No. 039, will serve the public necessity,

1 convenience, and welfare for the reasons set forth in Historic Preservation Commission
2 Resolution No. 1346, recommending approval of the proposed designation, which is
3 incorporated herein by reference.

4 (c) On September 20, 2023, the Historic Preservation Commission, in Resolution
5 No. 1346, adopted findings that the actions contemplated in this ordinance are consistent, on
6 balance, with the City's General Plan and with the eight priority policies of Planning Code
7 Section 101.1. The Board adopts these findings as its own.

8
9 Section 2. General Findings.

10 (a) On March 21, 2023, the Board of Supervisors adopted Resolution No. 141-23,
11 initiating landmark designation of Carnaval Mural as a San Francisco Landmark pursuant to
12 Section 1004.1 of the Planning Code. The Resolution was enacted on March 28, 2023 without
13 the Mayor's signature. Said resolution is on file with the Clerk of the Board of Supervisors in
14 Board File No. 230299.

15 (b) Pursuant to Charter Section 4.135, the Historic Preservation Commission has
16 authority "to recommend approval, disapproval, or modification of landmark designations and
17 historic district designations under the Planning Code to the Board of Supervisors."

18 (c) Planning Department Preservation staff prepared a Landmark Designation Fact
19 Sheet for Carnaval Mural. All preparers meet the Secretary of the Interior's Professional
20 Qualification Standards for historic preservation program staff, as set forth in Code of Federal
21 Regulations Title 36, Part 61, Appendix A. The report was reviewed for accuracy and
22 conformance with the purposes and standards of Article 10 of the Planning Code.

23 (d) The Historic Preservation Commission, at its regular meeting of September 20,
24 2023, reviewed Planning Department staff's analysis of the historical significance of Carnaval
25 Mural set forth in the Landmark Designation Fact Sheet dated September 13, 2023.

1 (e) On September 20, 2023, after holding a public hearing on the proposed
2 designation, and having considered the specialized analyses prepared by Planning
3 Department staff, and the Landmark Designation Fact Sheet, the Historic Preservation
4 Commission recommended designation of Carnaval Mural as a landmark under Article 10 of
5 the Planning Code by Resolution No. 1346. Said resolution is on file with the Clerk of the
6 Board in Board File No. 231034.

7 (f) The Board of Supervisors hereby finds that Carnaval Mural has a special character
8 and special historical, architectural, and aesthetic interest and value, and that its designation
9 as a Landmark will further the purposes of and conform to the standards set forth in Article 10
10 of the Planning Code. In doing so, the Board hereby incorporates by reference the findings of
11 the Landmark Designation Fact Sheet.

12
13 Section 3. Designation.

14 Pursuant to Section 1004.3 of the Planning Code, Carnaval Mural, located at 1311-
15 1315 South Van Ness Avenue, Assessor's Parcel Block No. 01765192, Lot No. 039, is hereby
16 designated as a San Francisco Landmark under Article 10 of the Planning Code. Appendix A
17 to Article 10 of the Planning Code is hereby amended to include this property.

18
19 Section 4. Required Data.

20 (a) The description, location, and boundary of the Landmark site consists of those
21 portion(s) of the north (side) elevation of the building on City parcel at 1311-1315 South Van
22 Ness Avenue, in Assessor's Parcel Block No. 6519, Lot No. 039, occupied by the Carnaval
23 Mural, measuring 24-feet by 75-feet, painted on the north-facing exterior wall of a three-story-
24 over-basement residential building, in San Francisco's Mission District.

1 (b) The characteristics of the Landmark that justify its designation are described and
2 shown in the Landmark Designation Fact Sheet and other supporting materials contained in
3 Planning Department Record Docket No. 2023-003438DES. The Carnival Mural, painted in
4 1983 by muralist Daniel Galvez and several other artists, depicts the Mission's iconic Pan-
5 Latino businesses and cultural institutions along with people dancing and celebrating
6 Carnival on 24th Street. The Carnival Mural, a cultural asset with significant and longstanding
7 association with the Mission District's Pan-Latino community, celebrates Latin music and
8 culture in the Mission District, a significant and vibrant part of San Francisco's cultural
9 heritage. In addition, Carnival Mural has high artistic value and is representative of the
10 Community Art Movement, or Mission Muralismo, a distinctive mode of expression within the
11 Mission District, which is internationally known for its rich collection of murals.

12 (c) The particular features that shall be preserved, or replaced in-kind as determined
13 necessary, are those shown in photographs and described in the Landmark Designation Fact
14 Sheet, which can be found in Planning Department Record Docket No. 2023-003438DES,
15 and which are incorporated in this designation by reference as though fully set forth.
16 Specifically, the following features are character-defining and shall be preserved or replaced
17 in kind:

18 (1) All those physical features of the exterior north (side) wall associated with
19 the structural support, construction, and visual depiction and expression of the Carnival
20 Mural, including:

21 (A) The size, shape, form, and materials of the mural;

22 (B) Combination of paints, pigments, and other materials that form the
23 mural; and

24 (C) Configuration of exterior wall and lightwells where the mural is
25 located.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Section 5. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor’s veto of the ordinance.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: /s/ Peter R. Miljanich
PETER R. MILJANICH
Deputy City Attorney

n:\legana\as2023\1800206\01704532.docx