

ORDINANCE NO. 1811

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING SECTION 10.28.050 OF THE SAN CLEMENTE MUNICIPAL CODE RELATING TO 72-HOUR PARKING RESTRICTIONS AND FINDING THE ORDINANCE NOT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, Section 10.28.050 of the San Clemente Municipal Code establishes a 72-hour parking restriction on public streets; and

WHEREAS, the City Council previously reviewed the City's existing 72-hour parking regulations and related concerns regarding long-term vehicle storage on public streets; and

WHEREAS, on April 21, 2026, the City Council directed staff to return with proposed amendments to the City's 72-hour parking regulations, including a minimum vehicle movement requirement of one hundred (100) feet; and

NOW, THEREFORE, the City Council of the City of San Clemente, California, hereby ordains as follows:

SECTION 1. Incorporation of Recitals. The recitals above are true and correct and are hereby incorporated as findings as if fully set forth herein.

SECTION 2. CEQA. The City Council finds that this Ordinance is not a "project" subject to the California Environmental Quality Act (CEQA). The Ordinance does not qualify as a project because it has no potential to result in either a direct, or reasonably foreseeable indirect, physical change in the environment. (State CEQA Guidelines, § 15378, subd. (a).) The language merely modifies existing restrictions and prohibitions, absent an applicable exception, regarding the parking of vehicles on public property for more than 72 consecutive hours. In the alternative, the City Council finds that the proposed ordinance falls within the "common sense" exemption set forth in State CEQA Guidelines section 15061, subdivision (b)(3), which exempts activity from CEQA where "it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment." Here, it can be seen with certainty that there is no possibility that the proposed ordinance may have a significant effect on the environment because the proposed ordinance simply modifies existing restrictions and prohibitions regarding the parking of vehicles on public property for more than 72 consecutive hours; the proposed ordinance will not result in any development or in any new activity with the potential to impact the environment.

SECTION 3. Code Amendment. Section 10.28.050 of the Code of the City of San Clemente is hereby amended to read in its entirety as follows (additions shown in underline):

10.28.050 - Use of streets for storage of vehicles prohibited.

No person who owns or has possession, custody, or control of any vehicle shall park such vehicle upon any street or alley for more than a consecutive period of seventy-two (72) hours.

For purposes of this section, a vehicle shall be considered to have remained parked unless, during any seventy-two (72) hour period, the vehicle has been moved at least one hundred (100) feet from the location it previously occupied.

In addition to other remedies, any vehicle parked in violation of this section may be removed pursuant to Section 10.08.160 of this Code and California Vehicle Code Section 22651(k).

SECTION 4. The City Clerk shall certify to the passage of this ordinance and cause the same to be published as required by law, and the same shall take effect as provided by law.

SECTION 5. Publication. The City Clerk shall certify to the adoption of this ordinance by the City Council and cause it, or a summary of it, to be published once within 15 days of adoption in a newspaper of general circulation printed and published within the City of San Clemente, and shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk in accordance with California Government Code, section 36933.

SECTION 6. Records. The documents and materials associated with this ordinance that constitute the record of proceedings on which the City Council's findings and determinations are based are located at City Hall, 910 Calle Negocio, San Clemente, CA 92673.

SECTION 7. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, such invalidity has no effect on the other provisions or applications of the ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this ordinance are severable. The City Council declares that it would have adopted this ordinance irrespective of the invalidity of any portion thereof.

SECTION 8. Effective Date. This Ordinance shall become effective 30 days after its adoption.

APPROVED AND ADOPTED this 18th day of August, 2026.

ATTEST:



City Clerk of the City of
San Clemente, California



Rick Loeffler, Mayor of the City of
San Clemente, California

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF SAN CLEMENTE)

I, LAURA CAMPAGNOLO, City Clerk of the City of San Clemente, California, hereby certify that Ordinance No. 1811 having been regularly introduced at the meeting of August 4, 2026 was again introduced, the reading in full thereof unanimously waived, and duly passed and adopted at a regular meeting of the City Council held on the 18th day of August, 2026 and said ordinance was adopted by the following vote:

AYES: CABRAL, ENMEIER, KNOBLOCK, WU, MAYOR LOEFFLER

NOES: NONE

ABSENT: NONE

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this 27th day of August, 2026.



CITY CLERK of the City of
San Clemente, California

APPROVED AS TO FORM:



Elizabeth A. Mitchell, City Attorney