

ORDINANCE NO. 2026-4

AN ORDINANCE FOR THE CITY OF FOREST ACRES, STATE OF SOUTH CAROLINA, AMENDING THE CODE OF ORDINANCES, CHAPTER 21 (UNIFIED DEVELOPMENT ORDINANCE) TO PROHIBIT SMOKE OR VAPE SHOPS AND SALES OF BEER, WINE AND LIQUOR IN THE COVENANT CROSSING NEIGHBORHOOD CENTER OVERLAY SUBDISTRICT

WHEREAS, by adoption of the Unified Development Ordinance for the City of Forest Acres, the City of Forest Acres has established the Covenant Crossing Neighborhood Center Subdistrict within the Centers & Corridors Overlay (CC-OD) Zoning District; and,

WHEREAS, the Mayor and City Council find that the proliferation of certain commercial uses within the Covenant Crossing Neighborhood Center Subdistrict, including Smoke and Vape Shops and sales of beer, wine and liquor, would result in undesirable impacts to the community, including increased potential for minors to be exposed to and therefore use or aspire to use such products; increased crime associated with such products and uses; and heightened risk of negative aesthetic impacts, blight, and loss of property values of residential neighborhoods, public recreational areas, and businesses in close proximity to such uses; and,

WHEREAS, the Mayor and City Council have substantial authority to regulate land uses within the municipal limits of the City of Forest Acres. S.C. Code Ann. § 6-29-720; *McKeown v. Charleston Cty. Bd. of Zoning Appeals*, 347 S.C. 203, 553 S.E.2d 484 (Ct. App. 2001); and,

WHEREAS, the Mayor and City Council find that restricting the proliferation of certain commercial uses within the Covenant Crossing Neighborhood Center Subdistrict, including Smoke and Vape Shops and sales of beer, wine and liquor, is necessary in order to promote public safety, order, peaceable enjoyment of nearby residential properties, and the general welfare of the City; and,

NOW, THEREFORE, pursuant to the power vested in the Council of the City of Forest Acres by virtue of Sections 5-7-30 and 6-29-720, Code of Laws of South Carolina, 1976, as amended; and to promote and preserve public safety, order, and the general welfare of the City;

BE IT ORDAINED BY THE CITY COUNCIL, City of Forest Acres:

Section 1. That the Uniform Development Ordinance, Chapter 21 of the Code of Ordinances of the City of Forest Acres, be amended by revising Table 2.3.4-1, "Full Compliance of CC-OD Standards by Subdistrict," CC-OD Standard row "Prohibited Uses," to read as follows, with other rows of such table remaining unrevised:

Table 2.3.4-1: Full Compliance of CC-OD Standards by Subdistrict

CC-OD Standard	Downtown Forest Acres	Forest at Beltline	Mixed-Use Corridor	Office- Residential Corridor	Covenant Crossing
Prohibited Uses	○				○

Key: ○ = standard applies | [blank cell] = standard does not apply

Section 2. That the Uniform Development Ordinance, Chapter 21 of the Code of Ordinances of the City of Forest Acres, be amended by revising Section 2.3.6(b) to read as follows:

2.3.6 ALLOWED USES

....

(b) **All CC-OD Subdistricts.** The following uses are permitted except where otherwise prohibited or excluded by specific use restrictions or limitations in overlay subdistricts.

(1) *Wine Bars.*

(2) *Retail Beer Establishments.* Retail beer establishments may include a tap room or tasting room that does not exceed 60% of the overall square footage of the area of the business open to customers or employees interacting with customers.

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Section 3. That the Uniform Development Ordinance, Chapter 21 of the Code of Ordinances of the City of Forest Acres, be amended by revising Section 2.3.6(g) to read as follows:

2.3.6 ALLOWED USES

....

(g) **Covenant Crossing Neighborhood Center Subdistrict.**

(1) The hours of operation for non-residential uses in this Subdistrict are limited to between 7 a.m. and 10 p.m.

(2) Drive-Through Facilities and Pickup-Windows/Areas are prohibited regardless of base zoning.

(3) *Prohibited Uses.* Since the uses listed below detract from the desired character of the Covenant Crossing Neighborhood Center Subdistrict as an area compatible with and contributing a sense of identity to the surrounding neighborhoods, the following uses are prohibited:

a. Smoke or Vape Shops as defined under this Ordinance;

b. Retail establishments or other commercial uses engaged in the sale of Alternative Nicotine Products, Vape Products, smoking blends and similar products that are smoked or inhaled and contain Cannabis Product, Hemp or Synthetic Cannabinoids, and/or Smoking Paraphernalia;

- c. Retail establishments or other commercial uses engaged in the sale of “alcoholic liquors,” as defined per S.C. Code §61-6-20, as amended;
 - d. Retail establishments or other commercial uses engaged in the sale of beer and/or wine for on-premises consumption;
 - e. Retail establishments or other commercial uses engaged in the sale of beer and/or wine for off-premises consumption;
 - f. Retail establishments or other commercial uses engaged in the sale of liquor for on-premises consumption; and
 - g. Liquor stores or other commercial uses engaged in the sale of liquor for off-premises consumption.
- (4) *Exceptions to Use Prohibitions.* The following uses are exceptions to the prohibitions set forth in Subsection 2.3.6(g)(3) where such uses are otherwise permitted under the base zoning district designation:
- a. Grocers no less than 12,000 square feet in size engaged in the sale of beer and/or wine for off-premises consumption.

Section 4. Should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, or words of this Ordinance as hereby adopted shall remain in full force and effect.

Section 5. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Effective date. The effective date of this ordinance shall be immediately upon its passage.

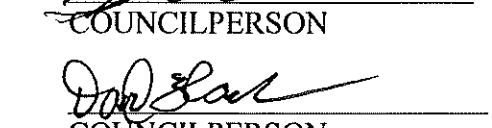
ORDAINED AND ADOPTED under the Corporate Seal of the City of Forest Acres, State of South Carolina, this 14th day of April, 2026.



MAYOR

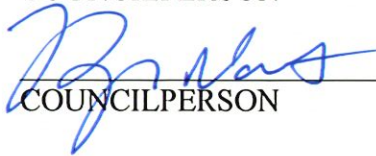


COUNCILPERSON



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ATTEST: , City Clerk

Approval of City Attorney as to Form: 

Person Requesting Ordinance: City Council

First Reading: March 10, 2026

Second Reading: April 14, 2026

Public Hearing: April 14, 2026

Planning Commission recommendation: Approval with amendments (February 17, 2026)