



WESTERN UPSTATE ASSOCIATION OF REALTORS®

Policy Paper and Position on Annexation

Annexation is a very touchy subject, particularly when it is involuntary. However, in South Carolina annexation is rarely involuntary. In fact, to be annexed, property owners are generally required to consent to the annexation. There are some exceptions:

1. When a referendum is held, 25% of the voters in the area must agree to the referendum before it can be placed on the ballot. Like any other election, 50% plus one of those casting a ballot must approve the annexation.
2. When 75% of the property owners in an area to be annexed agree to the annexation. In this method, a city council can approve the annexation by ordinance.

Neither of the above methods are commonly used. The most common method is for 100% of the property owners to approve the annexation.

Annexation: the myth

Recently in the Western Upstate, some residents have objected to voluntary annexation using the 100% method. They seem to believe that they are being annexed themselves. This is rarely true. Their neighbor's property may have been annexed, but not theirs.

Some county council members also have objected to annexation because the annexation is usually followed by development. Some have even said that cities should follow the county's growth and development plans and ordinances. Pickens County Council even went as far as adopting a resolution calling for a moratorium on annexations and the creation of a countywide planning commission.

The myth is that annexation is not voluntary.

Annexation: the truth

The truth is annexation is almost always voluntary: an agreement between a property owner and a city. The property owner is usually a developer who requires certain municipal services, like utilities, offered by the city but not by the county.

Smart growth and annexation

Smart growth has been a buzzword for decades. A key element of smart growth is efficient use of government services. That is especially the case when it comes to utilities which are expensive to build and operate. It is smart to make the highest and best use of those government services. Low-density development is rarely smart, particularly in cities. And yet, development outside of cities is almost always low density.

Annexation and Private Property Rights

A core tenet of the Realtor agenda is the protection of private property rights. That is why we think South Carolina law strikes an appropriate balance when it comes to municipal annexation. The fact that most annexations use the 100% method demonstrates that state law strikes the proper balance.

The Western Upstate Association of REALTORS® believes annexation should be 100% voluntary on the part of the property owner of record. If the property owner and the city agree to the annexation, there is no reason for a neighboring property owner, or the county, to have a voice in that decision.

Adopted:

Grassroots Government Affairs Team: February 13, 2024

Board of Directors, February 21, 2024