

INDIAN RIVER COUNTY, FLORIDA

MEMORANDUM

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**To:** Board of County Commissioners

**Through:** John A. Titkanich, Jr., ICMA-CM  
County Administrator

**Prepared By:** Andrew Sobczak  
Planning and Development Services Director

**Date:** April 26, 2024

**Subject:** Renewal of the effective date for the one-time free property split

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It is requested that the information presented herein be given formal consideration by the Board of County Commissioners at its regular meeting of May 7, 2024.

**SUMMARY**

On July 23, 1983, the County's subdivision ordinance effective date was established. After that date, the subdivision of land could only proceed after complying with the County's subdivision regulations. Generally, the subdivision regulations ensure that each newly subdivided parcel of land meets the dimensional criteria for the zoning district in which it is located, has roadway access, has access to utilities / infrastructure, and otherwise is a developable parcel.

One caveat to the effective date for the County's subdivision ordinance is known as the 'one-time free split', which allows individual residential and agricultural parcels of land that have not been subdivided since July 23, 1983, to be divided into no more than two parcels. To do this, both new parcels must meet the minimum dimensional and roadway frontage requirements of the zoning district. The one-time free split is very popular since it is an easy and straight forward process to divide property, and through the planner-of-the-day office, checking the availability of the one-time free split is one of the most common questions answered by staff.

**ANALYSIS**

Since more than 40 years have passed since the effective date for the County's subdivision ordinance, there are fewer and fewer eligible parcels that have not already used the one-time free split. There are, however, still many property owners that would like to divide their property, but their one-time free split has been used, many times by a previous property owner.

Staff is recommending an update of the effective date of the one-time free split from July 23, 1983 to May 7, 2024 (today's date). Staff is also recommending the approval of a grace period for any outstanding eligible properties that have not used their initial one-time free split of 90-days (effective date for end of grace period is July 5, 2024).

Following the Board's approval of the renewal, staff will follow up with a minor Land Development Regulation (LDR) revision codifying the new date.

**RECOMMENDATION**

Staff recommends that the Board of County Commissioners approve the renewal of the effective date for the one-time free split to May 7, 2024, including the provision of a grace period of 90-days (effective end-date of July 5, 2024) for properties that have not used the initial one-time free split.