



Lot Combination

Process in Long Prairie, MN

Combining one or more lots into a single lot (a "lot consolidation" or boundary line adjustment) is a process governed by the City of Long Prairie's Land Use and Zoning Code. The procedure is treated as a minor subdivision of land and must follow specific steps and meet certain criteria set out in Chapter 16 of the City Code. Below is a detailed step-by-step guide to the lot combination process, including preparation, application, approval, and finalization stages, as per the Long Prairie City Code.

Overview and Eligibility Requirements

- **Definition of Lot Consolidation:** The City Code defines a *consolidation* as joining two or more existing lots or parcels into a single lot, **provided the resulting lot meets all minimum size requirements** of the zoning ordinance. In other words, you cannot combine lots if the new lot would violate the minimum lot area or dimensions required by city code (unless a variance is obtained). Any combination that creates a lot below the minimum standards is considered *non-conforming* and would require a variance approval before proceeding.
- **Same Zoning District:** Generally, the lots to be combined should lie in the same zoning district for a seamless consolidation. The code allows adjustment of a common boundary line between adjacent parcels **only if all resulting parcels conform to zoning requirements (such as minimum area and setbacks)**. If the parcels are in different zoning districts, a rezoning may be necessary so that the entire new lot has a single consistent zoning classification.
- **No New Non-Conformities:** The consolidation **must not create or increase any non-conformity** with zoning regulations. For example, if one lot is non-conforming in size, combining it with another lot is allowed only if it does not make any remaining or new lot *more* non-conforming (in fact, combining lots often **reduces** non-conformity by creating a larger compliant parcel).
- **No New Development Infrastructure Required:** Lot combinations are intended for simple adjustments and **should not require new public infrastructure**. The code specifies that a *minor subdivision* (which includes simple splits or consolidations) must not necessitate the creation of new roads or extension of city utilities to serve the newly configured lot. If new streets or utilities would be needed, a more extensive subdivision process is required instead.
- **Frequency Limitation (for minor subdivisions):** The city allows only one minor subdivision (e.g. simple lot split) per parcel in a 12-month period. (Notably, purely administrative boundary adjustments/consolidations under Section 16.794 Subd.5 are excluded from this one-per-year limitation, meaning you can perform a lot consolidation without it counting against the limit for a future lot split, and vice versa.)

With these eligibility criteria in mind, you can proceed with the lot combination process if your project meets the requirements. The process involves preparing the necessary documents, submitting an application, and obtaining approval and recordation, as detailed in the steps below.

Step-by-Step Process for Combining Lots

Step 1: Preliminary Consultation (Optional but Recommended)

Before preparing the formal application, it's wise to consult with the City Administrator/Clerk or the Planning/Zoning Department informally. They can confirm that your proposed lot combination is feasible under the code and advise on any obvious issues (such as zoning conflicts or the need for a variance). This preliminary step can save time by ensuring you meet all criteria before you incur survey and application costs.

Step 2: Prepare a Certified Survey of the Properties

Because a lot combination changes property boundaries, **a survey is required** as the basis for the application. The code requires the owner to **hire a registered land surveyor to prepare a survey plat (Certificate of Survey)** of the lot(s) to be consolidated. This survey document must clearly illustrate and document the proposed change. Key elements the survey should include (per City Code requirements) are:

- **Current and Proposed Lot Boundaries:** Show the original lot lines of all parcels involved and the new single lot lines after consolidation, with dimensions. Include the legal descriptions of the existing parcels and a new legal description for the proposed combined lot.
- **Easements:** Indicate any existing easements (utility, drainage, etc.) on the properties and note if any new easements or adjustments to easements are needed. All easements and their dimensions should be shown.
- **Existing Structures and Utilities:** Mark the locations of any buildings, driveways, roads, sewer/water lines, power lines or other significant improvements on the lots. This is to ensure that combining the lots won't create setbacks or coverage issues and to document what is on the ground.
- **Proposed Improvements (if any):** If you plan any new construction or changes in conjunction with the lot combination, show the conceptual location of those improvements (e.g., a building that will straddle the old lot line). Often for a simple lot combination with no new development immediately planned, this may not apply.
- **Lot Areas:** Calculate and list the area of the new combined lot (and the areas of the pre-existing lots for reference). The area should be shown in square feet (especially if under an acre) or acres, as needed. This demonstrates compliance with minimum lot size requirements.
- **Ownership Information:** Provide an **affidavit or certification of ownership** with the exact names of all persons or entities that have an ownership interest in the properties. This ensures that all owners consent to the application. If multiple owners are involved (for example, adjacent owners trading pieces of land), all parties should be identified and sign the application.
- **Any Other Relevant Details:** Include north arrow, scale, date of survey, parcel identification numbers, and any topographical or environmental features if required by the city engineer or planner. The city staff may ask for additional information specific to your situation to fully evaluate the request.

It's often helpful to discuss the survey requirements with the City staff before the surveyor begins, to make sure all necessary details will be included. **Remember that the survey must be done by a licensed surveyor**, and you will typically need multiple copies (Long Prairie requires submitting **15 copies** of the survey with the application, so be prepared to have those produced).

Step 3: Submit the Lot Combination Application

Once you have the survey and required documents, you must **file an application for the lot consolidation with the City**. In Long Prairie, this is usually done through the City Administrator/Clerk's office. Key points for the application step:

- **Application Form:** Complete the official application form for a **Lot Split/Boundary Line Adjustment** (the city often uses a common form for simple lot splits and lot line adjustments). The application will request information about the property, current and proposed legal descriptions, owner information, and a description of the request. Attach the prepared survey and ownership affidavit. (If only a portion of one lot is being added to another, clearly describe which part is being transferred and to which adjacent lot.) Ensure all property owners involved have signed the application.
- **Where to File:** **File the application with the City Administrator/Clerk**, as specified by the code. You may submit it in person at City Hall. The timing of a submission can be important if the application needs to go on an agenda for the Planning Commission; check the city's deadline schedule for planning applications.
- **Application Fee:** Pay the required fee when you submit the application. Long Prairie's City Council sets fee amounts by resolution; the code notes that a fee must accompany the application. According to the current City fee schedule, the fee for a **Lot Split or Boundary Line Adjustment (Consolidation)** application is **\$250**, plus any applicable county recording fees. (Filing fees for recording documents with the County Recorder are separate and usually paid later when you record the deed or declaration.) Always confirm the latest fee with City Hall, as fees can change by resolution.
- **Complete Application:** Make sure your application is complete. An incomplete application (missing information or documents) can delay the process. The "clock" for city review (see Step 4) usually starts once the **completed** application is accepted by the city. Be sure to include all 15 survey copies and any other materials the code or staff have asked for. The City Administrator/Clerk will typically review the submission to verify that all required information is present.

Step 4: Review and Approval Process

After you submit the application, the **City will review the proposal and decide whether it can be approved administratively or if it must go through the Planning Commission and City Council** for approval. Long Prairie's code provides a streamlined path for pure consolidations (lot line adjustments) that meet all criteria, allowing administrative approval, and a more formal path if a public review is deemed necessary. Here's how the review process works:

- **Administrative Approval (for Eligible Lot Combinations):** If your lot combination meets the criteria for a simple consolidation – i.e., **all resulting lots conform to zoning requirements, no new lots are being created (only eliminated or adjusted), and no new public infrastructure is required** – the City Code authorizes the **City Administrator/Clerk to approve the consolidation administratively**. This means **no public hearing or Planning Commission meeting is required** in such cases. The city staff will examine your application against the code standards (checking lot sizes, zoning, etc.). They can also **attach conditions to the approval as necessary to protect the public interest**. For example, a condition might be that you must combine the lots by a certain deadline or that any existing structures that straddle the old lot line be removed if they don't meet code. If everything is in order, the City Administrator/Clerk can issue an approval of the lot consolidation. You will then move to Step 5 (recording the change). *Most straightforward lot combinations between two lots under one owner, where no ordinance standards are violated, will likely fall under this administrative process.*
- **Planning Commission & City Council Approval (if Required):** If the proposal **does not qualify for administrative approval** – for instance, if you are also splitting one lot into more lots as part of a reconfiguration, if a variance is needed, or simply if the city staff prefers a public

review – then the request will go to the **Planning and Zoning Commission** and **City Council** for consideration. In that case, the process is:

- **Public Hearing Notice:** The City will schedule a hearing on your application at an upcoming Planning & Zoning Commission meeting. Per code, a **public hearing notice must be published in the official newspaper and mailed to all property owners within 350 feet** of the property. This notice must be given at least **10 days before** the hearing date. (City staff will handle the notice; just be aware of the 10-day minimum lead time.)
- **Planning & Zoning Commission Hearing:** The Planning & Zoning Commission will hold the public hearing where you (and any supporters or objectors) can speak on the proposed lot combination. The Commission will consider whether the request meets the code requirements and any impact on the neighborhood or city plans. **Within 60 days** of the city accepting your completed application, the Planning Commission is expected to make a recommendation. They will vote to **recommend approval or denial** of your lot combination, and may suggest conditions if approving. If recommending denial, they will provide reasons in their report. This recommendation is forwarded to the City Council and a copy provided to you.
- **City Council Decision:** The City Council has the final authority to approve or deny the lot combination (when it doesn't fall under administrative approval). The Council will review the Planning Commission's recommendation at a council meeting. They may accept it, reject it, or send the issue back for further study or modifications. The Council can also impose conditions on the approval. By law, the City Council must make a decision **within 120 days** from when your application was deemed complete by the city (this provides a time limit so you're not left in limbo). In practice, Council action usually occurs shortly after the Planning Commission recommendation, often at the next regular Council meeting. If the Council denies the request, they will state the reasons (such as not meeting code standards or being against public interest). If approved, they may direct staff to prepare the necessary documents for recording the lot combination (see next step).
- **Other Agency Approvals:** During the review (either administrative or through Commission/Council), the City will consider if any other agencies need to sign off. For example, if the property is along a state highway or a county road, the Minnesota DOT or Todd County Highway Department might need to be consulted, or if it's in a shoreland area, the MN Department of Natural Resources (DNR) might have a say. The code explicitly notes that **the approval can be conditioned on meeting requirements of other jurisdictions like the County or State** that have authority over the land. City staff will typically handle this coordination, but it may affect your timeline if, say, a county permit or review is needed.

Step 5: Finalization – Recording the New Lot Configuration

Gaining city approval (either administrative sign-off or Council approval) is crucial, but **the lot combination isn't legally complete until the appropriate documents are recorded with the County Recorder's Office**. The recording creates the official public record of the new single lot. The finalization step involves:

- **Document Preparation:** If the City Council approved the combination, the city may prepare a formal document reflecting that approval. In the case of a simple lot split, the code calls for a **"Declaration of Simple Lot Split"** signed by the city and the property owners. For a

consolidation, the documentation might be a bit different; often it involves preparing new **deeds** or a **new certificate of survey legal description** that merges the parcels. Typically:

- If one owner is combining two adjacent lots they already own, a single new deed can be drafted that describes the new, larger parcel (replacing the two old descriptions).
- If the combination involves transferring part of one owner's land to another (adjusting a boundary), you'll likely have one deed from Owner A to Owner B (to transfer that piece), and then an updated deed for Owner B's property describing the enlarged lot. The **City Administrator's approval or City Council's resolution** allowing the combination should be referenced in these documents for clarity.
- In some cases, the city may issue a letter or certificate of approval for the consolidation that you attach to the deed or file alongside it. Check with the City Clerk on what exact document to record; at minimum, **the new legal description of the combined lot must be recorded**. The City Code indicates that if platting requirements were waived by the city (as is done for a minor subdivision), a certified copy of that **resolution waiving platting and a copy of the survey** should be recorded with the County Recorder as well. This ensures a clear record that the city approved the boundary adjustment in lieu of a formal plat.
- **Recording with the County:** Take the deed or other required documents to the **Todd County Recorder's Office** for official recording. The **lot consolidation is considered consummated when the deed or instrument transferring title is recorded** at the county. **Recording is essential** – until it's done, in the eyes of the law the lots are still separate. (Note: the County will charge a recording fee per document and will assign a new parcel identification number as needed. "Filing fees" mentioned in the city fee schedule refer to these county charges.) The city code makes it clear that the lot combination **does not take effect until the documents are recorded**. If a resolution or declaration was used, that too must be recorded. Ensure all owners have signed the necessary documents before recording.
- **Provide Proof to City:** After recording, obtain the recorded documents (or at least the document numbers) from the County. You should give a copy of the recorded deed/declaration to the City Administrator/Clerk for the city's files. The city often wants proof of recording to finalize their records. In fact, the code requires that proof of filing the necessary documents (like the resolution waiving platting requirements) be submitted to the city **before any building permits are issued on the reconfigured lot**. This is a safeguard to ensure everything is legally in order first. Once recorded, the City will update its zoning maps and property records to reflect the new lot. At this point, the parcels are officially combined into one lot.

Step 6: Post-Approval Considerations

After your lot combination is approved and recorded, there are a few additional things to keep in mind for the future:

- **Building Permits:** You can now treat the combined parcel as a single lot for purposes of construction or development. If you plan to build on the newly created lot, you may proceed with building permit applications. (Recall that the City will **not issue building permits for a property adjustment that hasn't been finalized** – all the subdivision requirements must be met and recorded first.) Ensure that any planned construction still respects the zoning requirements (setbacks, coverage, etc.) based on the new lot lines.
- **Zoning and Use:** The zoning district for the combined lot will typically remain the same as it was (assuming both original lots were in the same zone). If for some reason the lots were in two different zones and you combined them (which would be unusual without a rezoning), work with the city to reconcile that – the lot should have one consistent zoning designation. The

allowable uses on the new lot will be those permitted in the zoning district. Combining lots does not change the zoning or entitle you to any use that wasn't allowed before; it simply adjusts lot lines.

- **Property Taxes:** After the lot consolidation, the Todd County assessor will update the property tax records. In the next tax year, you should receive a single tax bill for the new combined parcel instead of separate bills for each old lot. The overall taxable value is likely to be similar to the sum of the values of the individual lots, though sometimes a combined lot might be assessed differently (for example, if one lot was valued as a separate buildable lot, combining it with an adjacent lot under common ownership could potentially alter how it's categorized). It's a good idea to check with the county assessor on how your tax parcel number and valuation will change. There may also be benefits like having only one set of parcel-based fees or special assessments. (Keep in mind, any outstanding special assessments assigned to the old parcels will typically follow the land and may be combined on the new parcel).
- **No Park Dedication Fee for Combinations:** When subdividing land into additional lots, cities often charge park dedication fees per new lot created. In the case of a consolidation, you are **reducing** the number of lots, not increasing. Thus, **no new park dedication or similar per-lot fees should apply** (those fees in the code are only for creating extra lots beyond the original count). You've likely already paid all relevant fees with the application itself.
- **Future Splits:** If you ever consider splitting the lot again or adjusting lines further, remember that any future subdivision will start anew under the regulations in effect at that time. The one-per-year minor subdivision rule would apply if you split after a consolidation (though the consolidation itself didn't count against it). Also, if the lot is large and you plan a major subdivision, a full platting process would be required.
- **Utility Accounts and Addresses:** If the combined lot had multiple street addresses (one for each former lot) or utility hookups, you may want to work with the City and utility providers to retire any extra addresses or combine utility accounts as appropriate. Typically, one address (often the address of the primary lot or main structure) will be used for the entire new parcel. This ensures mail and emergency services are not confused by two addresses for one property. Similarly, if each lot had separate utility services, you might consolidate them or at least be aware of multiple connections on one parcel.
- **Mortgages or Liens:** This is outside the scope of city code, but practically, if the lots had mortgages or liens, combining them might require approval or adjustments with the lender or lienholder. Often, an owner can only combine parcels if they own them outright or if the same lender holds a mortgage on all, otherwise lenders might need to re-record mortgage instruments on the new combined description. It's wise to clear any such issues in advance to avoid legal complications when recording the new deed.