CITY OF PLYMOUTH
AGENDA
Special City Council
Medicine Lake Room
3400 Plymouth Boulevard, Plymouth, MN
January 27, 2026, 5:00 PM

1. CALL TO ORDER

2. TOPICS

2.1 Review 4d(1) Affordable Housing Incentive Program

1. Presentation
2. LIRC Program Guide
3. LIRC 2026 Initial App
4. 4d Application - City of Plymouth
5. 4d Housing Policy
6. Declaration of Restrictive Covenants - 4d Program
7. 4d Participation Agreement
8. 4d Program timeline

2.2 Review Housing Improvement Area (HIA) Policy

1. Presentation
2. Housing Improvement Area (HIA)
3. HIA Timeline
4. HIA Policy Draft
5. HIA Property Standards

2.3 Review tobacco licensing regulations

1. Presentation
2. Hennepin County Public Health Memo
3. Hennepin County Public Health Presentation
4. License Fees by City
5. Violation Fees by City
6. Updated Tobacco License Survey
7. October 28 Staff Report

2.4 Set future study sessions

1. Calendar

3. ADJOURNMENT

Special City Council
January 27, 2026
Agenda Number: 2.1

To:	Dave Callister, City Manager
Prepared by:	Steven Schmidt, Housing Manager
Reviewed by:	Grant Fernelius, CED Director
Item:	**Review 4d(1) Affordable Housing Incentive Program**

1. Action Requested:
Review 4d(1) Affordable Housing Incentive Program

2. Background:
4d Affordable Housing Incentive Program

The 4d(1) Low Income Rental Classification program offers financial assistance to private owners of multifamily properties that agree to keep a minimum of 20% of the units affordable to households earning at or below 60% AMI. Eligible units will receive a reduced tax rate of 0.25%. (Market rate tax classification is 1.25%)

At the January 2025 HRA meeting, staff provided a presentation and overview of the 4d(1) Low Income Rental Classification program. The HRA commission discussed the program options and directed staff to prepare a program guide and necessary documents for implementation of the program.

The program guide highlights include:

- Five-year eligibility for 4d property tax rate of 0.25%. (Market rate tax classification is 1.25%)
- $100 per unit incentive to help property owners cover the cost of administrative and reporting requirements associated with the 4d(1) program, ($5,000 per property maximum and $50,000 citywide maximum)
- First year application fee paid by the city ($10 per unit)
- Existing tenants in units that have program-compliant rents do not need to be

income-qualified.
- Income qualification for tenants is determined upon initial occupancy. Increased income of tenants in affordable units will not violate program requirements.
- Property owners must record a declaration on their property agreeing to keep at least 20% of the units program-compliant, up to 100% of the units in the building may be enrolled.
- If a building is sold, declarations remain with the property.

Property owners must certify that the Property Tax Savings is used for one or more Eligible Uses:

- Property maintenance
- Property security
- Improvements to the property
- Rent stabilization
- Increases to the property's replacement reserve account

At the February 2025 HRA Commission meeting, the HRA Commission reviewed the 4d(1) Affordable Housing Incentive Program guide and provided a recommendation to City Council for adoption of the 4d(1) Affordable Housing Incentive program. It should be noted that Outreach Development Corporation (ODC) has been tracking this policy and is interested in utilizing the program for a planned acquisition of the Plymouth Colony Apartments (17603 19th Avenue N.). The 4d program would allow ODC to preserve the affordability of existing units. The 4d program is managed by Minnesota Housing and the deadline to apply is March 31, 2026.

Feedback: Staff is looking for feedback and support to move the policy forward. If there is interest, formal action by council could be taken in February. This would provide adequate time to work with ODC on applying to Minnesota Housing by the March 31st deadline.

3. Budget Impact:
Funding for this initiative would come from the HRA's reserve funds. The funds would be used to provide the incentives needed for property owners to participate in the 4d program.

4. Attachments:
1. Presentation
2. LIRC Program Guide
3. LIRC 2026 Initial App
4. 4d Application - City of Plymouth
5. 4d Housing Policy
6. Declaration of Restrictive Covenants - 4d Program

7. 4d Participation Agreement
8. 4d Program timeline

4d(1) Affordable Housing Incentive Program

January 27, 2026

City of Plymouth

4d Program Overview

- First introduced in 1997 as a tool to aid in the preservation and sustainability of affordable rental housing in MN.
- Multiple iterations, last updated in 2024
- Currently offers a uniform tax rate reduction to property owners that agree to keep a minimum of 20% of the units affordable to households at or below 60% AMI.
- Eligible units will receive a reduced tax rate of 0.25%. (Market rate tax rate is 1.25%)

4d Program Overview

- Lower class rate offered to properties that participate in one of the following programs:
  - Section 8/Housing Choice Voucher (HCV)
  - Low Income Housing Tax Credit (LIHTC)
  - Rental assistance financed through USDA Rural Housing Service
  - Rent and income restrictions (with declaration) recorded against the property associated with local financial incentive:
    - Tax Increment Financing (TIF)
    - Other special programs (local community) *

4d Program Potential Tax Savings

- A four-unit, market rate (4a) building valued at $1,000,000 has a net tax capacity of $12,500.
  - $1,000,000 x 1.25% = $12,500
- The same property classified as 4d still valued at $1,000,000 –comprised of four units affordable at or below 60% AMI has a net tax capacity of $2,500.
  - $1,000,000 / 4 units = $250,000 per unit
  - $250,000 x 0.25% = $625
  - $625 net tax capacity per unit
  - $625 x 4 units = $2,500

- 4d(1) tax classification savings = $10,000.

4d Program

- Neighboring communities that have 4d Programs

  Edina, Golden Valley, Minneapolis, St. Louis Park and St. Paul

- Typical Incentives
  - One-time per unit grant to the property owner
  - First year application fee
- Some communities offer additional grant opportunities
  - Affordable Housing Trust Fund
  - Energy efficiency upgrades
  - Multi-family Building Efficiency Programs—through Xcel, CenterPoint or the Center for Energy and Environment

4d Program Overview

Owners' responsibilities:

Property owners must sign an affordability declaration on their property stating:

- At least 20% of the units will remain affordable to households at or below 60% of the area median income (AMI).
- Rents for assisted units to not exceed 30 percent of 60 percent AMI
- If a building is sold, declarations remain with the property.

# Bedrooms	30% AMI	50% AMI	60% AMI	80% AMI
1 Bedroom	$745	$1,241	$1,490	$1,987
2 Bedroom	$894	$1,490	$1,788	$2,384
3 Bedroom	$1,032	$1,721	$2,065	$2,754
4 Bedroom	$1,152	$1,920	$2,304	$3,072

4d Program Overview

Owners' responsibilities:

Property owners must annually reapply and certify that the Property Tax Savings is used on one or more of Eligible Uses:

- Property maintenance
- Property security
- Improvements to the property
- Rent stabilization
- Increases to the property's replacement reserve account

4d Program Overview

- Income qualification for tenants is determined upon initial occupancy.
- Existing tenants in units that have program-compliant rents do not need to be income qualified
    - o increased income of tenants in affordable units will not violate program requirements.

Household Size						
AMI%	**1**	**2**	**3**	**4**	**5**	**6**
30%	27,810	31,800	35,760	39,720	42,900	46,080
50%	46,350	53,000	59,600	66,200	71,500	76,800
60%	55,620	63,600	71,520	79,440	85,800	92,160
80%	74,160	84,800	95,360	105,920	114,400	122,880

4d Program Overview

City responsibilities:

- City must provide a financial incentive for enrollment in the 4d program.
  - Per unit incentive
  - 1^{st} year application fee (optional)
  - Draft and record affordability declaration
  - Term limit

4d Program

Plymouth Affordable Housing Incentive Program

- Five-year term agreement for eligibility for 4d property tax rate of 0.25%. (Market rate tax classification is 1.25%)
- $100 per unit incentive ($5,000 per property maximum and $50,000 city wide maximum)
- First year application fee paid by the city ($10 per unit)
- 2-year pilot program (starting in 2026).
- Funding of $50,000 ($100,000 total) will be paid out of HRA reserves.

4d Program

Plymouth Affordable Housing Incentive Program

Program process timeline

- **January 2026** – Review policy with city council.
- **February 2026** – Adopt policy. Deadline for initial applicants to submit the following to the city:
    - Minnesota LIRC application
    - City participation agreement and affordability declaration
- **March 2026**– City submits LIRC applications to Minnesota Housing on behalf of selected applicants.
- **August 2026** – Minnesota Housing certifies LIRC 4d(1) classifications.
- **September 2026** – Applicants receive 4d incentive grants ($100 - $5,000 per property).

4d Program

Plymouth Affordable Housing Incentive Program

Program process timeline

- **November 2026** – 4d program participants receive a notice of proposed taxes. (includes new 4d tax rate)
- **2027** – 4d program participants will receive tax bills reflecting the lower LIRC 4d(1) tax rate
- **January 2027** – Annual compliance form due to the city.
- **March 2027** – Deadline for property owners to submit Minnesota LIRC re-application paperwork to Minnesota Housing. (*must be submitted annually by the property to retain 4d(1) status)*

Discussion / Next Steps

- HRA recommends adoption of local 4d(1) program.
- Funding to be provided by HRA (reserves) and included in future budgets.
- Policy could be presented in February (10^{th} or 24^{th}) for formal council adoption.
- Staff looking for feedback and support to advance policy.
- *Note: Outreach Development Corporation in discussions to acquire Plymouth Colony apartments; interested in applying for local program.*

City of Plymouth

Low Income Rental Classification (LIRC) Program Guide

November 16, 2023

Table of Contents

Chapter 1 – Low Income Rental Classification (LIRC) Program 1

1.01 Statute 1

1.02 Purpose of LIRC Program 1

1.03 Contact 1

1.04 Definitions 1

1.05 Legal Addendum 1

Chapter 2 – LIRC Program Requirements 2

2.01 Eligibility 2

2.02 Eligible Uses of Property Tax Savings 2

2.03 Initial Application Local Government Resolution Requirement 3

Chapter 3 – Property Tax Savings and Compliance 4

3.01 Property Tax Savings Calculation Methodology 4

3.02 Compliance 4

3.03 Document Retention 5

Chapter 4 – Initial and Renewal LIRC Program Application 6

Chapter 5 – Review and Approval 8

5.01 Application Submission 8

5.02 Approval 8

5.03 Initial Application Denials and Appeals 8

5.04 Renewal Application Denials 9

Appendix A – Definitions 10

Appendix B – Legal Addendum 11

Chapter 1 – Low Income Rental Classification (LIRC) Program

1.01 Statute

Properties in Minnesota are assigned a property use classification based on the primary use of the property by their local assessor (visit the Minnesota Department of Revenue website for a full list of property use classifications). The property use classification determines the tax class rate that applies to the property, and the tax class rate is determined by Minnesota law. The tax class rate is a component of calculating property taxes.

Minnesota Statutes 273.13, subdivision 25 and 273.128 provide that qualifying low-income rental properties are eligible for property use classification that has a lower tax class rate thereby reducing the property tax obligation for a given property. This property use classification is commonly referred to as "4d(1)."

These statutes define the eligible property type, eligibility criteria, and eligible uses of the savings resulting from the class rate reduction.

1.02 Purpose of LIRC Program

The LIRC Program is a tool to aid in the preservation and sustainability of affordable rental housing in the State of Minnesota.

1.03 Contact

If you have questions regarding the LIRC Program, please call the following Minnesota Housing phone numbers or refer to the agency's website at www.mnhousing.gov:

Toll Free:	800.657.3647
Direct:	651.297.4065
TTY:	651.297.2361
Minnesota Relay Service:	800.627.3529

1.04 Definitions

Appendix A, which is attached and incorporated into this Program Guide, includes definitions of capitalized terms used in this Program Guide.

1.05 Legal Addendum

Any property enrolled in the LIRC Program agrees to comply with the additional requirements and obligations as described in Appendix B, which is attached and incorporated into this Program Guide.

Chapter 2 – LIRC Program Requirements

2.01 Eligibility

Applicants may qualify for the LIRC Program if at least 20% of the units in the property meet one or more of the following requirements at the time the Application is submitted to Minnesota Housing:

- The units are subject to a project-based housing assistance payments (HAP) contract under Section 8 of the United States Housing Act of 1937.
- The units are rent-restricted and income-restricted units of a qualified low-income housing project receiving tax credits under Section 42(g) of the Internal Revenue Code.
- The units are financed by the Rural Housing Service (RHS) of the United States Department of Agriculture and receive payments under the rental assistance program pursuant to Section 521(a) of the Housing Act of 1949, as amended.
- The units are subject to rent and income restrictions under the terms of financial assistance provided to the rental housing property by the federal government, the state of Minnesota, or a local unit of government, as evidenced by a document recorded against the property. The rent and income restrictions must meet both of the following:
    - The restrictions must require assisted units to be occupied by residents whose household income at the time of initial occupancy does not exceed 60% of the greater of area or state median income, adjusted for family size, as determined by the United States Department of Housing and Urban Development; and
    - The restriction must require the rents for assisted units to not exceed 30% of 60% of the greater of area or state median income, adjusted for family size, as determined by the United States Department of Housing and Urban Development.

If you are unsure of your property's eligibility, please contact Minnesota Housing for clarification and guidance.

2.02 Eligible Uses of Property Tax Savings

Enrolling in the LIRC Program reduces the property's tax class rate thereby reducing the property tax amount that would otherwise be due. Minnesota Statute 273.128, subdivision 1(b) requires that the Property Tax Savings be used on one or more of the Eligible Uses:

- Property maintenance
- Property security
- Improvements to the property
- Rent stabilization
- Increases to the property's replacement reserve account

For the purposes of the LIRC Program only, rent stabilization is the cost of reduced rent revenue as a result of holding rent increases on some or all of the rental units below the inflation rate as published by the United States Bureau of Labor Statistics All Urban Consumers Price Index

(Current Series) from the prior year. The All Urban Consumer Price Index Data can be accessed by visiting the Federal Reserve Bank of Minneapolis. For example, if the All Urban Consumer Price Index was 5% in 2024, a rent increase in 2025 would need to be less than 5% to be considered rent stabilization in the LIRC Program.

When applying for the LIRC Program, the Applicant must certify that they will use all the Property Tax Savings for that assessment year for one or more Eligible Use(s). Beginning with Renewal Applications submitted in calendar year 2026, the Applicant must certify that the Property Tax Savings for the prior assessment year were used for one or more Eligible Use(s) and provide a written narrative of how the Property Tax Savings were used for the Eligible Use(s) to demonstrate compliance.

2.03 Initial Application Local Government Resolution Requirement

This section only applies to the Initial Application for a property enrolling in the LIRC Program. Renewal Applications are exempt from this Section 2.03.

If the property is located in a city or town in which the net tax capacity of all 4d(1) properties exceed 2% of the total net tax capacity of the city or town in the prior assessment year, the Applicant must receive a resolution from the city or town where the property is located approving the Applicant's ability to submit an Initial Application to Minnesota Housing. The Applicant must receive the resolution from the city or town before submitting the Initial Application to Minnesota Housing.

The Minnesota Department of Revenue will annually publishes a list of the cities and towns where the net tax capacity of all 4d(1) property exceeds 2% of the total net tax capacity in the city or town. A link to the list will be provided annually on Minnesota Housing's LIRC Program web page. If the property is located in a city or town that does not exceed the threshold, the Applicant is not required to secure a resolution from the city or town to submit the Initial Application to Minnesota Housing.

The resolution from the city or town must include:

- The property ownership name
- The mailing address of the property
- All parcel identification numbers associated with the LIRC Program approval
- Approval to submit a Low Income Rental Classification Initial Application to Minnesota Housing

The resolution cannot include any conditions of approval. For Initial Applications that require the resolution, a copy of the resolution must be included with the Initial Application to Minnesota Housing or the Application will be deemed incomplete.

Property owners are strongly encouraged to contact the city or town as early as possible because the Minnesota Housing application deadline cannot be extended.

Chapter 3 – Property Tax Savings and Compliance

3.01 Property Tax Savings Calculation Methodology

Minnesota Statute 273.128, subdivision 1(b) requires that the Property Tax Savings be used on one or more of the Eligible Uses listed in Section 2.02. For the sole purpose of the LIRC Program, the Property Tax Savings is, for a given property:

The property taxes that would have been due under the Former 4d Tax Class Rate in a given year

Minus

The property taxes due as a result of enrolling in the LIRC Program in a given year

Equals

Property Tax Savings

The Former 4d Tax Class Rate means the tax class rates defined in Minnesota Statutes 2022, section 273.13, subdivision 25, paragraphs (e) and paragraph (f). The Former 4d Tax Class Rate included two tax class tiers depending on the per unit estimated market value (EMV) of the property. The EMV is established by the local city or county assessor. The first $100,000 of each unit's EMV utilized a .75% tax class rate and the portion of the per unit value over $100,000 utilized a .25% tax class rate.

Starting with assessment year 2024, the 4d(1) tax class rate is a flat .25% with no tiers, which results in lower property taxes than would have otherwise been due under the Former 4d Tax Class Rate. The property taxes due as a result of receiving 4d(1) are provided on the property tax statement provided by your county.

Please note that comparing the difference in property taxes due from one year to the next year is not equal to the Property Tax Savings because of variations in local property tax rates, referendum levies (school levies), and other factors.

Minnesota Housing cannot calculate the Property Tax Savings for Applicants. For additional information on understanding property tax calculations, visit the Minnesota Department of Revenue website or contact your local city or county assessor's office.

3.02 Compliance

Beginning with Renewal Applications submitted in calendar year 2026, all Applicants must:

- Certify that all Property Tax Savings in the prior assessment year were used for one or more Eligible Use(s); and
- Provide a narrative describing how the Property Tax Savings were used on one or more Eligible Use(s).

The Applicant shall retain documentation demonstrating the use of the Property Tax Savings in accordance with Section 3.03. Minnesota Housing may request documentation at its sole discretion. Properties that fail to provide the requested documentation may be subject to removal and/or temporary disbarment from the LIRC Program.

3.03 Document Retention

Property owners are responsible for maintaining records that document the use of the Property Tax Savings for a minimum of six years from the end of each applicable LIRC Period. Minnesota Housing reserves the right to review all records during this six-year period, and records must be made available to Minnesota Housing upon request. Failure to provide the documentation may result in disqualification from the LIRC Program for up to five years as solely determined by Minnesota Housing.

The records documenting the use of Property Tax Savings for Eligible Uses may include, but are not limited to, receipts, proof of payment, rental rates, and reserve account balances.

Chapter 4 – Initial and Renewal LIRC Program Application

The Application, including all supporting documents, and the non-refundable fee payable to Minnesota Housing must be mailed and postmarked no later than March 31. Late Applications (postmarked after March 31) will be returned to the sender, will not be eligible for the tax rate reduction for taxes payable in the following year and will not receive a refund.

If a property is no longer eligible for the LIRC Program, please immediately notify Minnesota Housing to have the property removed from the LIRC Program.

Use the checklist below for an Initial Application and a Renewal Application, as applicable.

Initial Application	Renewal Application	Requirement
☐	☐	Application • Read the application instructions for properly completing the Application. • Incomplete information may result in a delayed or denied Application. • For Initial Applications, be sure to write the expiration date for the Proof of Qualifications on the Application. • For Renewal Applications, update any contact information that has changed from the prior year Application.

☐	n/a	Proof of Qualifications that must be submitted with the Application:
		• Units subject to project-based housing assistance payments (HAP) contract,
		    o Project-based Section 8 (HAP) contract.
		• Rent-restricted and income-restricted units under Section 42(g),
		    o The Section 42 Land Use Restrictive Agreement (LURA); or
		    o If the LURA has not yet been recorded, verification of the “Placed in Service” date for Section 42(g) properties is required, and the LURA must be provided when it is recorded.
		• Rural Housing Service Rental Assistance Program units
		    o The United States Department of Agriculture Rural Development subsidy contract.
		• Units are subject to 60% or less of AMI rent and income restrictions
		    o The recorded document restricting income and rents under the terms of the financing provided by the federal government, the state of Minnesota, or a local unit of government.

Initial Application	Renewal Application	Requirement
n/a	☐	Change to Proof of Qualifications • For Renewal Applications only, identify any changes to previously submitted Supporting Documentation. This includes any rental assistance contracts that expired in the prior year and have since been renewed.
☐	n/a	See Section 2.03 of this Guide to determine if a resolution from the local city or town is required to submit the Initial Application
☐	☐	Application fee (See application form for calculation) The application fee is non-refundable. If you choose to apply and do not qualify for the LIRC Program, you will not be refunded.
☐	☐	Mail the signed Application, payment or proof of payment, Proof of Qualifications, and application fee to: Minnesota Housing Attn: LIRC Program 400 Wabasha Street North, Suite 400 St. Paul, MN 55102-1109

Chapter 5 – Review and Approval

5.01 Application Submission

Initial Applications and Renewal Applications may be submitted to Minnesota Housing from January 2 through March 31 of each year. Minnesota Housing reviews Applications as they are submitted.

Applicants certify in the Initial Application or Renewal Application that the property is in compliance with all applicable requirements of the low-income program that qualifies the property for the LIRC Program (See Section 2.01). Noncompliance with the requirements of the low-income housing program that qualifies the property for the LIRC Program may result in the denial and withdrawal of 4d(1) or a loss of some or all LIRC Program benefits. In making the certification, Minnesota Housing relies on the Initial Application or Renewal Application and any other supporting information. Minnesota Housing may request any supporting information that the agency deems necessary from the Applicant.

Minnesota Housing will perform annual quality control reviews. If findings occur during the annual quality review process, the Applicant and the local assessor's offices will be notified that properties no longer qualify for the LIRC Program or that the percentage of qualifying units has been changed. Failure to resolve the finding in a timely manner may result in disqualification from the LIRC Program for up to five years as solely determined by Minnesota Housing.

5.02 Approval

Minnesota Housing will notify Applicants that submit Initial Applications in writing whether their Application has been approved or denied. If approved:

- The Applicant will receive a LIRC Account Number.
- The local assessor will be notified that the property qualifies for the LIRC Program by June 1.

Minnesota Housing will certify to the appropriate county or city assessor the specific properties and the number of units in the building that qualify under the LIRC Program.

Applicants who have been approved for the LIRC Program will receive the 4d(1) tax class rate reduction for taxes payable the following year. For example, a property that receives a LIRC Program approval in calendar year 2024 will receive the 4d(1) property use classification for property taxes payable in calendar year 2025.

5.03 Initial Application Denials and Appeals

New Applicants who have applied for the LIRC Program and who have been determined to be ineligible will receive a letter indicating the reasons for denial. The letter will also explain the appeals process.

If applicable, Initial Applications that do not provide the resolution required in Section 2.03 will be denied and are not subject to appeal. Resolutions cannot be accepted after the Application due date.

5.04 Renewal Application Denials

Current participants who have reapplied for the LIRC Program and have been determined to be no longer eligible will be withdrawn from the 4(d)1 property use classification status. A letter will be sent explaining why the property was withdrawn from the LIRC Program.

Appendix A – Definitions

Term	Definition
4d(1)	The Property Use Classification for properties that meet the requirements of the LIRC Program.
Applicant(s)	The property owner or their authorized representative that submits an Application.
Application(s)	Initial Applications and/or Renewal Applications, as the context requires
Eligible Use(s)	The categories of expenses for which Property Tax Savings must be used, as set forth in Section 2.02.
Initial Application	The first Application submitted by an Applicant to the LIRC Program.
LIRC Account Number	The account number assigned by Minnesota Housing for each LIRC application approval.
LIRC Period	The calendar year for which the LIRC application approval applies. For example, a LIRC application submitted in calendar year 2023 for taxes payable in 2024 will have a LIRC Period of January 1, 2024 to December 31, 2024.
LIRC Program	The Low Income Rental Classification program established pursuant to Minnesota Statutes 273.128.
Minnesota Housing	the Minnesota Housing Finance Agency
Program Guide	The Low Income Rental Classification Program Guide
Proof of Qualifications	The documentation required to be submitted with the Initial Application to demonstrate that the property meets one or more of the eligibility criteria in Minnesota Statute 273.128, subdivision 1.
Property Tax Savings	See Section 3.01
Property Use Classification	The tax class assigned by the applicable city or county assessor (visit the Minnesota Department of Revenue website for a full list of property use classifications).
Renewal Application	All subsequent Applications after the Initial Application submitted by the Applicant to remain enrolled in the LIRC Program.

Appendix B – Legal Addendum

1.01 Conflict and Control

In the event of any conflict between the terms of this Addendum and the document to which it is attached, the terms of this Addendum will govern and control.

1.02 Fraud

Fraud is any intentionally deceptive action, statement or omission made for personal gain or to damage another.

Any person or entity (including its employees and affiliates) that enters into a contract with Minnesota Housing and witnesses, discovers evidence of, receives a report from another source or has other reasonable basis to suspect that fraud or embezzlement has occurred must immediately make a report through one of the communication channels described in section 1.07.

1.03 Misuse of Funds

A contracting party that receives funding from Minnesota Housing promises to use the funds to engage in certain activities or procure certain goods or services while Minnesota Housing agrees to provide funds to the recipient to pay for those activities, goods or services. Regardless of the Minnesota Housing program or funding source, the recipient must use Minnesota Housing funds as agreed, and the recipient must maintain appropriate documentation to prove that funds were used for the intended purpose(s).

A misuse of funds shall be deemed to have occurred when: (1) Minnesota Housing funds are not used as agreed by a recipient; or (2) a recipient cannot provide adequate documentation to establish that Minnesota Housing funds were used in accordance with the terms and conditions of the contract.

Any recipient (including its employees and affiliates) of Minnesota Housing funds that discovers evidence, receives a report from another source or has other reasonable basis to suspect that a misuse of funds has occurred must immediately make a report through one of the communication channels described in section 1.07.

1.04 Conflict of Interest

A conflict of interest – actual, potential or perceived – occurs when a person has an actual or apparent duty or loyalty to more than one organization and the competing duties or loyalties may result in actions which are adverse to one or both parties. A potential or perceived conflict of interest exists even if no unethical, improper or illegal act results from it.

An individual conflict of interest is any situation in which one's judgment, actions or non-action could be interpreted to be influenced by something that would benefit them directly or through indirect gain to a Partner, Family Member, Relative, Friend, Business or other Outside Interest with which they are involved. Such terms are defined below.

<u>*Actual Conflict of Interest</u>: An Actual Conflict of Interest occurs when a person's decision or action would compromise a duty to a party without taking immediate appropriate action to eliminate the conflict.

<u>*Potential Conflict of Interest</u>: A Potential Conflict of Interest may exist if a person has a relationship, affiliation or other interest that could create an inappropriate influence if the person is called on to make a decision or recommendation that would affect one or more of those relationships, affiliations or interests.

<u>*Partner</u>: A person's romantic and domestic partners and outside business partners.

<u>*Family Member</u>: A person's current and former spouse; children, parents, and siblings; current and former children-in-law, parents-in-law, and siblings-in-law; current and former stepchildren and stepparents; grandchildren and grandparents; and members of the person's household.

<u>*Relative</u>: Uncle or aunt; first or second cousin; godparent; godchild; other person related by blood, marriage or legal action with whom the individual has a close personal relationship.

<u>*Friend</u>: A person with whom the individual has an ongoing personal social relationship. "Friend" does not generally include a person with whom the relationship is primarily professional or primarily based on the person being a current or former colleague. "Friend" does not include mere acquaintances (i.e., interactions are coincidental or relatively superficial). Social media friendships, connections, or links, by themselves, do not constitute friendship.

<u>*Business</u>: Any company, corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual or any other legal entity which engages either in nonprofit or profit-making activities.

<u>*Outside Interest</u>: An Outside Interest may occur when an individual, their Family Member or their Partner has a connection to an organization via employment (current or prospective), has a financial interest or is an active participant.

Once made aware of a conflict of interest, Minnesota Housing will make a determination before disbursing any further funds or processing an award. Determinations could include:

- Revising the contracting party's responsibilities to mitigate the conflict
- Allowing the contracting party to create firewalls that mitigate the conflict
- Asking the contracting party to submit an organizational conflict of interest mitigation plan

- Terminating the contracting party's participation

Any person or entity (including its employees and affiliates) that enters into a contract with Minnesota Housing must avoid and immediately disclose to Minnesota Housing any and all actual, potential or perceived conflicts of interest through one of the communication channels described in section 1.07.

A contracting party should review its contract and request for proposals (RFP) material, if applicable, for further requirements.

1.05 Assistance to Employees and Affiliated Parties

Any party entering into a contract with Minnesota Housing for the purpose of receiving an award or benefit in the form of a loan, grant, combination of loan and grant or other funding is restricted in issuing a loan, grant, combination of loan and grant or other funding to a recipient ("Affiliated Assistance") who is also: (1) a director, officer, agent, consultant, employee or Family Member of an employee of the contracting party; (2) an elected or appointed official of the State of Minnesota; or (3) an employee of Minnesota Housing, unless each of the following provisions are met:

- The recipient meets all eligibility criteria for the program;
- The assistance does not result in a violation of the contracting party's internal conflict of interest policy, if applicable;
- The assistance does not result in a conflict of interest as outlined in section 1.04;
- The assistance is awarded utilizing the same costs, terms and conditions as compared to a similarly situated unaffiliated recipient and the recipient receives no special consideration or access as compared to a similarly situated unaffiliated recipient; and
- The assistance is processed, underwritten and/or approved by staff/managers who are independent of the recipient and independent of any Family Member of the recipient. Family Member is defined in section 1.04.

A contracting party need not disclose Affiliated Assistance to Minnesota Housing. However, the contracting party must document and certify, prior to the award, that the Affiliated Assistance meets each of the provisions outlined above. This documentation must be included in the Affiliated Assistance file and must be made available to Minnesota Housing upon request. Affiliated Assistance that does not meet each of the provisions outlined above will be considered a violation of Minnesota Housing conflict of interest standards and must be reported by the contracting party through one of the communication channels outlined in section 1.07.

1.06 Suspension

By entering into any contract with Minnesota Housing, a contracting party represents that the contracting party (including its employees or affiliates that will have direct control over the subject of the contract) has not been suspended from doing business with Minnesota Housing. Please refer to Minnesota Housing's website for a list of suspended individuals and organizations (Go to mnhousing.gov, scroll to the bottom of the screen and select Report Wrongdoing, then select Suspensions from the menu).

1.07 Disclosure and Reporting

Minnesota Housing promotes a "speak-up, see something, say something" culture whereby internal staff must immediately report instances of fraud, misuse of funds, conflicts of interest or other concerns without fear of retaliation through one of the communication channels listed below. External business partners (e.g., administrators, grantees or borrowers) and the general public are strongly encouraged to report instances of fraud, misuse of funds, conflicts of interest or other concerns without fear of retaliation using these same communication channels.

- Minnesota Housing's Chief Risk Officer at 651.296.7608 or 800.657.3769 or by email at MHFA.ReportWrongdoing@state.mn.us;
- Any member Minnesota Housing's Servant Leadership Team, as denoted on Minnesota Housing's current organizational chart (Go to mnhousing.gov, scroll to the bottom of the screen and select About Us, select Servant Leadership Team); or
- Report Wrongdoing or Concerns (mnhousing.gov) (Go to mnhousing.gov, scroll to the bottom of the screen and select Report Wrongdoing).

1.08 Electronic Signatures

Minnesota Housing will use and accept e-signatures on eligible program documents subject to all requirements set forth by state and federal law and consistent with Minnesota Housing policies and procedures. The use of e-signatures for eligible program documents is voluntary. Questions regarding which documents Minnesota Housing permits to be e-signed should be directed to Minnesota Housing staff.

1.09 Fair Housing Policy

It is the policy of Minnesota Housing to affirmatively further fair housing in all its programs so that individuals of similar income levels have equal access to Minnesota Housing programs, regardless of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, familial status, gender identity or sexual orientation.

Minnesota Housing's fair housing policy incorporates the requirements of Title VI of the Civil Rights Act of 1968; the Fair Housing Act, Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendment Act of 1988; and the Minnesota Human Rights Act. Housing providers and other entities involved in real-estate related transactions are expected to comply with the applicable statutes, regulations and related policy guidance. Housing providers should ensure that admissions, occupancy, marketing and operating procedures comply with non-discrimination requirements. Housing providers and other entities involved in real-estate related transactions must comply with all non-discrimination requirements related to the provision of credit, as well as access to services.

In part, the Fair Housing Act and the Minnesota Human Rights Act make it unlawful, because of protected class status, to:

- Discriminate in the selection/acceptance of applicants in the rental of housing units;
- Discriminate in the making or purchasing of loans for purchasing, constructing or improving a dwelling, or in the terms and conditions of real-estate related transactions;
- Discriminate in the brokering or appraisal of residential property;
- Discriminate in terms, conditions or privileges of the rental of a dwelling unit or services or facilities;
- Discriminate in the extension of personal or commercial credit or in the requirements for obtaining credit;
- Engage in any conduct relating to the provision of housing that otherwise make unavailable or denies the rental of a dwelling unit;
- Make, print or publish (or cause to make, print or publish) notices, statements or advertisements that indicate preferences or limitations based on protected class status;
- Represent a dwelling is not available when it is in fact available;
- Refuse to grant a reasonable accommodation or a reasonable modification to a person with a disability;
- Deny access to, or membership or participation in, associations or other services organizations or facilities relating to the business of renting a dwelling or discriminate in the terms or conditions of membership or participation; or
- Engage in harassment or quid pro quo negotiations related to the rental of a dwelling unit.

Minnesota Housing has a commitment to affirmatively further fair housing for individuals with disabilities by promoting the accessibility requirements set out in the Fair Housing Act, which establish design and construction mandates for covered multifamily dwellings and requires those in the business of buying and selling dwellings to make reasonable accommodations and to allow persons with disabilities to make reasonable modifications.

1.10 Minnesota Government Data Practices

Minnesota Housing, and any party entering into a contract with Minnesota Housing, must comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as it applies to all data provided by Minnesota Housing under the contract, and as it applies to all data created, collected, received, stored, used, maintained or disseminated by the contracting party under the contract. The civil remedies of Minnesota Statutes Section 13.08 apply to the release of the data referred to in this section by either the contracting party or Minnesota Housing. If the contracting party receives a request to release the data referred to in this section, the contracting party must notify Minnesota Housing. Minnesota Housing will give the contracting party instructions concerning the release of the data to the requesting party before the data is released. The contracting party's response to the request shall comply with applicable law.

Low Income Rental Classification 2026 Initial Application

Effective Date: 12/20/2025

This application must be postmarked **by March 31, 2026,** or it will not be approved for the Low Income Rental Classification (LIRC) Program for taxes payable in 2027.

A. Property and Owner Information

Property and Owner Information Requested	Response
Minnesota D# (if applicable)	
Ownership entity name or name of property owner (first, middle, last)	
Owner’s mailing address (street address or PO box)	
City, State, Zip Code	
Name of eligible property (project)	
Primary address of eligible property (street address)	
City, State, Zip Code	
Contact name (first, last)	
Phone	
Email	

B. County PINS

List the county parcel ID numbers (PINS/PIDS) and parcel addresses that identify the primary address above. If there are more than three PINS/PIDS, list any additional PINS/PIDS and addresses on a separate sheet and attach it to this application.

PINS/PIDS	Address	City	State	Zip Code
			MN	
			MN	
			MN	

C. Qualification Type and Qualified Units

I certify that this property is eligible for the LIRC Program under the following categories. Check all categories that apply and enter the number of units qualified for each category on the right.

Category	# of Units
☐ The units are subject to a project-based housing assistance payments (HAP) contract under **Section 8** of the United States Housing Act of 1937, as amended.	1.
☐ The units are rent-restricted and income-restricted units of a qualified low-income housing project receiving tax credits under **Section 42(g)** of the Internal Revenue Code.	2.
☐ The units are financed by the **Rural Housing Service (RHS)** of the United States Department of Agriculture and receive payments under the rental assistance program pursuant to Section 521(a) of the Housing Act of 1949, as amended.	3.
☐ The units are subject to **60% or less of AMI rent and income restrictions**, as specified in statute, under the terms of financial assistance provided to the rental housing property by the federal government, the state of Minnesota, or a local unit of government, as evidenced by a document recorded against the property.	4.
Total Qualified Units (sum of lines 1-4)	5.
Total of all rental units in property	6.
Qualifying percentage (divide line 5 by line 6)	7. %

D. Proof of Qualification

To receive 4d(1) you must submit the applicable supporting documentation that corresponds to each qualification type indicated in C above.

Qualification Type	Expiration Date
☐ The Section 8 HAP contract.	
☐ The Section 42(g) Land Use Restriction Agreement (LURA); or, if the LURA is not yet recorded, confirmation of an allocation of tax credits for the property and a verification of the “Placed in Service” date.	
☐ The United States Department of Agriculture Rural Development subsidy contract.	
☐ The recorded document restricting income and rents under the terms of the financial assistance provided by the federal government, the state of Minnesota, or a local unit of government.	

E. Eligible Uses of Property Tax Savings Certification and Compliance

Enrolling in the LIRC Program reduces the property's tax class rate thereby reducing the property tax amount that would otherwise be due. Minnesota Statute 273.128, subdivision 1(b) requires that the Property Tax Savings be used for one or more of the following Eligible Uses:

- Property maintenance
- Property security
- Improvements to the property
- Rent stabilization
- Increases to the property's replacement reserve account

See Section 2.02 and Chapter 3 of the Program Guide for additional information.

☐ By selecting this box, I certify that the Property Tax Savings will only be used for one or more of the Eligible Uses; I acknowledge that Minnesota Housing, at its sole discretion, may request documentation demonstrating that the savings were used on the Eligible Use(s); and, I understand that failure to provide the requested documentation may result in removal and/or temporary disbarment for the LIRC Program.

F. Application Fee Calculation

1. Qualified Units (Section C, line 5): _____
2. Total annual, non-refundable fee (multiply line 1 by 10; maximum of $150): $_____

G. Applicant Certification and Signature

Some of the information you provide on your application may be private by state law. This information is being collected to determine your eligibility for the LIRC Program and to ensure it is applied in compliance with applicable state laws. You do not have to provide this information. If you do not provide this information Minnesota Housing may not be able to fully process your application. By signing this form, you consent to Minnesota Housing sharing this information and the supporting documentation with county or city assessors, the Minnesota Department of Revenue, and with such entities as may be needed to verify LIRC eligibility, including the United States Department of Housing and Urban Development, United States Department of Agriculture, and other government entities. Minnesota Housing may also provide this information to the state or legislative auditor or share this information upon court order.

I certify that all information provided is true and correct, that I am duly authorized to sign this certification and submit this application, that the property meets the requirement(s) to receive the 4d(1) Property Use Classification and is in compliance with all applicable requirements of the low-income housing program that qualifies the property for the LIRC Program. I understand that any false information or low-income housing program non-compliance could result in the denial and withdrawal of 4d(1)or a loss of some or all LIRC Program benefits.

Applicant Signature Date

General Information

Program Guide: For additional program information, please review the LIRC Program Guide on Minnesota Housing's website.

Application: This application form is for new applicants who have not previously applied for LIRC status.

What is the application deadline for 2026? Applications, remittances and supporting documentation must be mailed and postmarked no later than March 31, 2026.

How will I know if my application was accepted? We will notify applicants of their application status once it is processed.

When will LIRC take effect? Approved and certified properties will see the tax rate reduction on their tax bill payable in 2026.

What is the owner's responsibility? Reapply annually; continue to comply with the requirements of the LIRC Program and maintain compliance with the applicable low-income housing program that qualifies the property for 4d(1).

What if the ownership or mailing address changes? Property owners should notify Minnesota Housing of any ownership or mailing address changes.

Application Instructions

General: Completely fill out the application. Incomplete information may result in delaying or rejecting the application.

Property and Owner Information and PINS: Complete all fields. The 'Ownership Entity Name' should match the property tax statement. Enter the PINS/PIDS and parcel address as shown on your property tax statement. The accuracy of this information is important for reporting to the assessor offices.

Qualification Type: Check the box(es) that apply to the property. Enter the number of qualifying units subject to the rent and income restrictions that are indicated in the contract or restrictive covenant.

Units:

- Enter the sum of qualifying units in the Qualification Type section.
- Enter the total number of units in the property.
- Calculate the qualifying percentage by dividing the number of qualified units by the total number of units; round the percentage to the nearest whole number.

Application Fee: Calculate the non-refundable application fee of $10 per qualified unit; maximum of $150.

Proof of Qualification: Enter the expiration date of the applicable Project-based HAP contract, Section 42(g) restrictions, Rural Housing contract, or recorded document. Submit a copy of the applicable Proof(s) of Qualification as part of this application.

Owner Certification and Signature: Sign and date this application. Note, the application must be signed by someone with the authority to make these certifications on behalf of the property owner.

Mailing Instructions:

- Complete and sign the application form.
- Include a check for the non-refundable application fee amount, payable to Minnesota Housing.
- Attach a copy of the documentation, which proves your qualification for 4(d)1.
- If applicable, attach a copy of the resolution provided by the city or town where the property is located approving the ability to submit the LIRC Program Initial Application. See Section 2.03 of the Program Guide for additional information.
- Make a copy of the application for your records.
- Mail to: Minnesota Housing, Attn: LIRC, 400 Wabasha Street North, Suite 400, St. Paul, MN 55102-1109.

For More Information

800.657.3647 | 651.297.4065 | TTY: 651.297.2361 | Minnesota Relay Service: 800.627.3529 | www.mnhousing.gov

City of Plymouth

Plymouth 4d affordable housing incentive program application

Completing this application does not automatically qualify your property for 4d (LIRC) status in Minnesota. The application must be filled out completely; incomplete information may result in delaying or rejecting the application. Minnesota Housing will certify official LIRC status if approved.
Note: *You must include a rent roll for your property in order to complete your application. The rent roll should show the current rents for the designated affordable units.*

Applications must be submitted to the city by ______(date)_____________.

Owner information

Ownership entity name or name of property owner (first, middle, last)*:

____

Owner's mailing address: ____

City: ________________________ State: __________ ZIP code: ____________

**Ownership entity name should match the property tax statement.*

Eligible property information

Name of eligible property: ____

Primary street address: ____

City: Plymouth ____________________ State: Minnesota ____ ZIP code: ____________

Primary contact for the property (first, middle, last): ____________________________

Daytime phone: ____________________ Alternative phone: ____________________

Email: ____

County parcel ID numbers (PINs)

List the county parcel ID numbers (PINs) and parcel addresses that identify the primary address above. If there are more than two PINs, list any additional PINs and addresses on a separate sheet and attach it to this application. The PINs must be classified as "apartment" to be eligible for 4d/LIRC tax status. The PINS and parcel address should be entered as shown on your property tax statement.

PINS number: ____

Address: ____

City: Plymouth __________ State: Minnesota ____ ZIP code: ______________________

PINS number: ____

Address: ____

City: Plymouth __________ State: Minnesota ____ ZIP code: ______________________

Look up your PIN: https://www.hennepin.us/residents/property/property-information-search

City of Plymouth

Qualification type

I certify that this property is eligible for LIRC under the following category.
Enter the number of units qualified on the right.

Category	Number of units
The units are subject to 60% or less of AMI rent and income restrictions, as specified in statute, under the terms of financial assistance provided to the rental housing property by the federal government, the state of Minnesota, or a local unit of government, as evidenced by a document recorded against the property.	1.

Units

Qualified units – units indicated in line 1 above 2. ___________

Total of all rental units in the property: 3. ___________

Qualifying percentage (divide line 2 by line 3, round to the nearest whole number): 4. ___________

Total annual, non-refundable fee (multiply line 2 by $10, maximum of $150): 5. ___________

Qualifications for 4d (LIRC) status

Selected applicants will qualify for 4d status in Minnesota by:

1. Signing a participation agreement with the City of Plymouth
2. Recording an affordability declaration against the property effective late March ______ and expiring late March ________.
3. Complying with state requirements for the LIRC program, including using any Property Tax Savings for certified Eligible Uses.

I agree to:

☐ Sign a participation agreement and record a declaration against my property in accordance with the program guidelines.

☐ Authorize the City of Plymouth to submit the recorded declaration to Minnesota Housing with your LIRC application.

☐ Include a rent roll for my property with my application. The rent roll should show the current rents for the designated affordable units.

Certification

I certify that all the information provided is true and correct, that I am duly authorized to sign, that the property meets the requirement(s) to receive LIRC tax reduction and is in compliance with all applicable requirements of the low-income housing program that qualifies the property for LIRC.

Signature: ____Date: _________________

Submittal instructions

Before submitting the application, make or save a copy for your records.

Applications can be submitted by:

1. Email to: Housing@PlymouthMN.gov
2. Mail to:
   City of Plymouth
   Attn: Housing Division
   3400 Plymouth Blvd
   Plymouth, MN 55447

City staff will contact the owner upon receipt of the application to review the application and process the participation agreement, declaration, and Minnesota Housing Low Income Rental Classification (LIRC) application.

Additional information

For more information about the Plymouth 4d Affordable Housing Incentive Program, visit the city's website at www.PlymouthMN.gov

Information about Minnesota's Low Income Rental Classification (LIRC) program can be found at http://www.mnhousing.gov.

Plymouth 4d affordable housing incentive program guide

Healthy, stable, and affordable housing is necessary for the well-being, prosperity and security of Plymouth residents. Due to changing housing, economic and demographic trends, Plymouth is in need of more affordable housing. Already burdened low- and moderate-income tenants are increasingly paying more than 30 percent of their income on rent and utilities. At the same time, many rental property owners are faced with increased operating and maintenance costs, as well as market opportunities to increase rents.

In response, the city is offering incentives for rental property owners to reduce property tax liability. The goal of this program is to preserve affordability, support tenants and strengthen the bottom line for property owners.

Purpose of the 4d program

- Incentivize owners of Naturally Occurring Affordable Housing (NOAH) to keep their rents affordable thereby preserving affordable housing;
- Help property owners reduce property tax obligation on affordable housing units;
- Provide stable, affordable units for renters
- Support market rate new construction development projects, and the City's minimum affordability requirements under the inclusionary housing policy.

Benefits to property owners

Qualified market rate building owners that agree to keep a minimum of 20 percent of units affordable to households' making 60 percent of area median income (AMI) for a minimum of 5 years will receive:

- 5-year eligibility for 4d(1) property tax rate, which provides property tax reductions on qualifying units.*
- The City of Plymouth will pay for the first-year application fee for the Minnesota Low Income Rental Classification (LIRC), also known as 4d(1) tax classification ($10 per unit)
- $100 grant per affordable unit, capped at $5,000 per property.
- Reduced renter turnover.

**Minnesota Statute 273.128 provides that qualifying low-income rental properties, including those enrolled in the Plymouth 4d incentive program, are eligible for 4d(1) tax classification. According to state statue, eligible units use the 4d(1) tax class rate of 0.25%. The regular rental class rate of 1.25% will apply to the remainder of the property.*

Eligibility Requirements

Multifamily properties must meet the following criteria:

- At least 20 percent of rental units in a building are affordable to households whose family income is at or below 60 percent of the area median income (AMI).
- Existing tenants in units that have program-compliant rents do not need to be income qualified.
- Income qualification for tenants is determined upon initial occupancy. Increased income of tenants in affordable units will not violate program requirements.
- Licensed properties that have at least two rental units and are in good standing with no code compliance violations.

- Buildings can include units with owner occupants, but only rental units are eligible for 4d(1) tax status.
- Building does not already qualify for LIRC tax status in Minnesota.

The city will receive and review applications on an annual basis. The City expects to accept applications in the fall of each year in order to provide sufficient time to meet the State's LIRC application deadline in March.

Note: The city reserves the right to deny applications for outstanding code compliance issues.

Participation process

Step 1 (required)

- Property owners submit a 4d program application and rent roll and sign a participation agreement with the City.
    - Participation agreement includes a commitment to accept tenant-based assistance and affirmative fair marketing and prohibits involuntary displacement of existing tenants.
- The city will draft and record a declaration against the property that limits the rents and incomes on the qualified units for 5 years (required for 4d(1) tax classification status). The declaration also limits rent increases for tenants in affordable units to five percent annually.
- The city will provide a grant to each 4d(1) property in the amount of $100 per affordable unit, capped at $5,000 per property. This funding is intended to help property owners cover the cost of administrative and reporting requirements associated with the program, as well as help owners make health, safety, and energy efficiency improvements to properties. Owners must certify the use of the funds for the property.
- Property owners select percentage of their building units to restrict, (20% minimum). property owners can request an extension up to five years with the option to adjust percentage of restricted units per building (20% minimum applies).
- Property owners will sign a 4d application once declaration is filed.
- The city will submit a signed 4d application, application fee and declaration to Minnesota Housing on behalf of the property owner for their first year. Owners are responsible for submitting annual applications to Minnesota Housing to renew 4d(1) tax status. See "annual owner compliance" for additional information. Owners are responsible for complying with any state requirements for 4d(1) tax classification status, including certifying to the use of Property Tax Savings. Information regarding Eligible Uses can be found on the MN Housing LIRC program website.

Modifications to declarations

- The declaration for the 4d program commitment runs with the property. Anyone buying and selling 4d property should contact the city to complete an assignment, assumption and consent form transferring the declaration to the new owner.
- Any other changes to the declaration, such as revisions specifying which units in the building are restricted, should also contact the city.

Annual owner compliance

To continue to receive 4d status, property owners are required to submit:

- An annual 4d application and compliance reporting to Minnesota Housing
- An annual report to the City of Plymouth

Rent and income restrictions, City of Plymouth 4d Affordable Housing Incentive Program

Program rent and income limits based on 60 percent of the Twin Cities area median income (AMI). Rent and income restrictions are adjusted annually, typically in the spring.

Type of unit	60 percent area median income (AMI)
Studio/efficiency	$1,390
1 bedroom	$1,490
2 bedroom	$1,788
3 bedroom	$2,065
4 bedroom	$2,304
5 bedroom	$2,542

Effective date: 4/01/2025

DECLARATION OF RESTRICTIVE COVENANTS

THIS DECLARATION OF RESTRICTIVE COVENANTS (the "Declaration"), is made on or as of this _ day of ____________, 202__, by ______________________[owner name], a ___ ___________________________[owner state and business entity type], (the "Owner"), having its primary place of business at _______________________________________[owner full address], in favor of the City of Plymouth, a Minnesota municipal corporation (the "City").

RECITALS

A. Owner and the City have entered into an **Affordable 4D Participation Agreement**, dated ___________________, 202__, (the "Participation Agreement"), pursuant to which the City is offering certain financial incentives in exchange for Owner limiting rents and incomes on certain rental housing units located at ____[full address]; and

B. But for the making and recording of this Declaration, the City would be unwilling to qualify the Property for preferable tax classification or provide the other financial incentives described in the Participation Agreement.

NOW, THEREFORE, in consideration of said the foregoing Recitals and mutual obligations of the parties to this Declaration, each of them does hereby covenant and agree with the other as follows:

1. **<u>Definitions</u>**. In this Declaration, unless a different meaning clearly appears from the context, the following terms shall have the meanings set forth in this Section:

Affordability Period: A _____-year period commencing on the date of this Declaration and expiring on ______________, 20__.

Affordable Units: Units in the Project as identified in **<u>Exhibit B</u>** to this Declaration.

Annual Income: The adjusted gross income, as defined in Section 62 of the United States Internal Revenue Code, of all members of a household (this is the "Adjusted Gross Income" amount reported on IRS form 1040).

HUD: The United States Department of Housing and Urban Development.

Land: The real property located in Hennepin County, Minnesota, and legally described on **<u>Exhibit A</u>** to this Declaration.

Low-Income Families: Individuals or families whose Annual Income does not exceed 60 percent of the Median Family Income.

Median Family Income: The "Median Family Income" as most recently established by HUD for the Minneapolis/St. Paul standard metropolitan statistical area, adjusted for family size.

Project: A rental housing project located at ____________________________ [street address] in the City of Plymouth, Minnesota.

2. **Representations**. Owner represents to and for the benefit of the City that Owner has duly authorized, executed, and delivered this Declaration pursuant to proper authorization to do so; that this Declaration constitutes a valid and binding obligation of the Owner, enforceable in accordance with its terms, except only as such enforceability may be limited by bankruptcy; moratorium; reorganization; other laws; or principles of equity, as such may affect creditors' rights; and that the execution and delivery of this Declaration does not constitute a breach, violation, or default under any law, regulation, order, judgment or ruling binding upon Owner, or a default under any indenture, mortgage, agreement, or other instrument to which Owner is subject or by which it or its property is bound.

3. **Restrictions on Use**.

A. Owner agrees to develop, operate and manage the Project according to the terms of this Declaration for the duration of the Affordability Period.

B. During the Affordability Period, this Declaration shall constitute covenants running with the land and shall be binding on the successors and assigns of Owner, and on all parties having or acquiring any rights, title, or interest in the Project.

C. Rental of the Project shall be in accordance with the following:

(a) All of the Affordable Units shall be occupied by households with incomes that are 60 percent or less of the Median Family Income and shall bear rents not greater than 30 percent of the adjusted income of a family whose gross income equals 60 percent of the Median Family Income.

(b) The requirements of Section 3(C)(a) of this Declaration shall be satisfied despite a temporary non-compliance with Section 3(C)(a) of this Declaration, if the non-compliance is caused because either:

(i) a current tenant as of the date of this Declaration is in one of the Affordable Units; or

(ii) the incomes of tenants that were income qualified upon occupancy increase and if actions satisfactory to the City are being taken to ensure that all vacancies of Affordable Units are filled in accordance with Section 3(C)(a) of this Declaration until the non-compliance is corrected.

(c) The initial rent schedule for the Affordable Units is set forth in **Exhibit B**. In no event will the City require the Affordable Unit gross rents to be set lower than the rents listed on **Exhibit B**.

(d) Owner shall comply with Plymouth Code of Ordinances Chapter IV - Building, Housing and Construction Regulations, Section 410. - Rental Licensing.

(e) The City may, upon request, review and approve rents not more frequently than annually for consistency with this Agreement.

(f) Except for tenants already in the Affordable Units, Owner shall secure an income certification from the proposed tenant(s) of each Affordable Unit prior to initial occupancy by such tenant(s). Such income certificate shall contain a statement of the total Annual Income for the previous year of each person who proposes to live in the Affordable Unit during that year. Owner shall retain all records related to compliance with this Declaration for a minimum of six (6) years after termination of the Affordability Period, and permit any duly authorized representative of the City to inspect such records upon reasonable notice to the Owner. There will be no cost associated with inspection of records.

(g) On or before March 31 of each year of the Affordability Period the Owner shall make annual reports to the City in the form attached to this Declaration as Attachment 1.

(h) Owner shall use affirmative fair housing marketing practices in soliciting renters, determining eligibility and concluding all transactions and provide evidence of compliance to the City upon request.

4. **Restrictions on Sale of the Project**. Owner agrees not to sell, transfer, convey, or assign the Affordable Units (except leases in the ordinary course of business) without first obtaining the express written assumption by the purchaser, transferee, grantee, or assignee of the obligations imposed on Owner by this Declaration; provided, however, that this Declaration shall remain enforceable against a purchaser, transferee, grantee, or assignee even in the absence of a written assumption. Any sale in violation of this Declaration shall be null and void at the election of the City.

5. **Covenants Are Binding Upon Successors in Interest**. It is intended and agreed that the covenants provided in this Declaration shall be covenants running with the land and that they shall, in any event, and without regard to technical classification or designation, legal or otherwise, be binding on Owner, the successors and assigns of Owner, and all parties having or acquiring any right, title, or interest in all or any part of the Land. This Declaration shall be enforceable against all such parties to the fullest extent permitted by law and equity for the benefit and in favor of the City, its successors and assigns. It is expressly agreed and acknowledged that:

A. The covenants provided in this Declaration are in addition to the provisions of any other documents, or written agreements, related to the Project (collectively, the "Other Documents");

B. This Declaration shall not be deemed to limit or merge into any Other Documents or vice versa;

C. This Declaration shall survive the expiration or termination of any of the Other Documents; and

D. The satisfaction or release of any Other Documents shall not be deemed to a satisfaction or release of this Declaration.

6. **Remedies for Default**. In the event of any default, failure, violation, or any other action or inaction by Owner specified in this Declaration, the City at its option, may institute such actions or proceedings at law or in equity as it may deem desirable for effectuating the provisions of this Declaration, including without limitation actions for specific performance, damages, and injunctive relief, and including also any remedy allowed under the terms of any Other Documents. In any successful action or proceeding to enforce its rights under this Declaration, the City shall be entitled to the recovery from Owner of reasonable attorneys' fees.

7. **Notices and Demands**. A notice, demand, or other communication under this Declaration by the Owner to the City, or the City to the Owner, other shall be sufficiently given or delivered if it is dispatched by registered or certified United States Mail, postage prepaid, return receipt requested, or delivered personally, and, in the case of Owner, is addressed to or delivered personally to Owner at:

____
____
____
____

and in the case of the City, is addressed to or delivered personally to the City at:

City of Plymouth
Department of Community & Economic Development
3400 Plymouth Boulevard
Plymouth, Minnesota 55447
ATTN: Steven Schmidt, Housing Manager

or at such other address as the Owner or the City may, from time to time, designate in writing and forward to the other as provided in this Section.

8. **Counterparts**. This Agreement may be executed in any number of counterparts, all of which shall constitute a single agreement, any one of which bearing signatures of all parties shall be deemed an original.

[9. **Election to Extend Declaration upon Completion of Affordability Period**. If Owner has complied with the terms of this Declaration for the ____-year Affordability Period, then, upon request from Owner, the City will execute an amendment to this Declaration agreeing to extend the Declaration for up to and additional ________ years, with the option to reduce the number of Affordable Units down to a minimum of ______ Affordable Units. If, at the expiration of the Affordability Period, the Owner elects not to extend the Declaration as provided in the previous sentence, then this Declaration will automatically terminate and the Owner may request that the City provide a release of this Declaration in recordable form.]

IN WITNESS WHEREOF, the Owner has caused this Declaration to be duly executed on or as of the day and year first written above.

[Signature page follows]

SIGNATURE PAGE TO DECLARATION OF RESTRICTIVE COVENANTS

OWNER:
[NAME]

By ______________________________
[NAME]
Its ______________________________

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this _____ day of ____________ ______, 20___, by ______________________[owner name], the ______________________[owner title] of ___ ______________________[entity name], a ______________________[entity state and business type], on behalf of the ______________________________[business type].

____
Notary Public

This instrument was drafted by:
The City of Plymouth
Department of Community & Economic Development
3400 Plymouth Boulevard
Plymouth, Minnesota 55447

EXHIBIT A
TO
DECLARATION OF RESTRICTIVE COVENANTS

Legal Description

EXHIBIT B
TO
DECLARATION OF RESTRICTIVE COVENANTS

Initial Rent Schedule

Unit #	Bedroom Size	Maximum Rent

ATTACHMENT 1
TO
DECLARATION OF RESTRICTIVE COVENANTS

Annual Certification

Project Address	
# of Affordable Units	
# of Total Units	
Owner	
Property Manager	
Monitoring Year	

UNIT INFORMATION		**TENANT NAME**	**MOVE IN ELIGIBILITY**			**RENTS**			
Unit #	**# BR's**	**Tenant Name**	**Move In Date**	**Income at Move-in**	**Household Meets Lowest Income Restriction at % AMI**	**Section 8 Voucher (Y/N)**	**Rent**	**Unit Rent Restricted at 60% AMI**	**Comments**
							$ -		
							$ -		
							$ -		
							$ -		
							$ -		
							$ -		
							$ -		
							$ -		
							$ -		

4d Participation Agreement

Property Owner(s): ____(herein referred to as "Owner(s)")

Property Address: ______________________________, **Plymouth, MN 554**______(herein referred to as "Property")

Legal Description of Property:
____

Total Property Units: ______

Percentage (%) of Units restricted to be affordable to and occupied by households at or below 60% of Area Median Income _________

1. The Owner certifies that he/she/they are the Owner(s) of record of the Property.

2. The Owner has previously submitted to the City a complete 4d program application and rent roll demonstrating that _____% of the rental housing units located on the Property have rents that do not exceed 30% of the gross income of a family whose income equals 60% of the median family income as most recently established by HUD for the Minneapolis/St. Paul standard metropolitan statistical area.

3. The Owner has agreed to record a declaration against the above described Property limiting the rents and incomes on _____% of the rental housing units located on the Property as further described in the form of declaration attached hereto as Exhibit A (the "Declaration") so that Owner can qualify for preferable tax classification as class 4d(1) under Minnesota Statutes §273.13, Subdivision 25. The Owner specifically represents that such preferable tax classification along with access to the other financial incentives described in this Participation Agreement is sufficient consideration for executing and filing the Declaration.

4. The Participation Agreement includes a commitment to accept tenant-based assistance and affirmative fair marketing.

5. The Owner certifies that no existing tenants in the Property have been or will be evicted because of the filing of the Declaration.

6. Upon satisfaction of the foregoing conditions, the City will, in cooperation with the Owner:

    a. Record the Declaration in the Hennepin County land records.

    b. Submit Owner's first application to the State of Minnesota for the certification of 4d classification under Minnesota Statutes §273.128 and pay the associated application fee ("4d Application Fee").

    d. Provide Owner with a grant in an amount equal to $_________($100/affordable unit not to exceed $5,000) to assist the Owner cover the cost of making health, safety and energy efficiency improvements to the Property. Owner must submit a plan for the proposed use of the funds and certify the use of the funds to make property improvements.

IN FURTHERANCE WHEREOF, the parties have executed this Agreement as of ______________, 20__.

OWNER: ____

____

CITY OF PLYMOUTH:

____

Program process and timeline

- **January 2026 –** Initial applications and annual compliance form due to the city. The city will email selected initial applicants and provide instructions about next steps.
- **February 2026 –** Deadline for initial applicants to submit the following to the city:
  - Minnesota LIRC application
  - City participation agreement and affordability declaration
- **March 2026–** City submits LIRC applications to Minnesota Housing on behalf of selected applicants.
- **August 2026 –** Minnesota Housing certifies LIRC 4d(1) classifications.
- **September 2026 –** Applicants receive 4d incentive grants ($100 - $5,000 per property). Properties must submit required documentation for grant use.
- **November 2026 –** 4d program participants receive a notice of proposed levies and taxes. This notice will reflect the new LIRC 4d(1) tax rate.
- **2027 –** 4d program participants will receive tax bills reflecting the lower LIRC 4d(1) tax rate. This lag time exists because an applicant cannot receive 4d status until Minnesota Housing certifies LIRC 4d(1) status, which happens in August each year.
- **January 2028 –** Annual compliance form due to the city.
- Each year 4d participants will be required to submit compliance forms to the city prior to submitting LIRC re-application paperwork to Minnesota Housing Agency.
- **March 2028 –** Deadline for property owners to submit Minnesota LIRC re-application paperwork to Minnesota Housing. *Re-application paperwork must be submitted annually by the property to retain 4d(1) status*

City of Plymouth

Special City Council
January 27, 2026
Agenda Number: 2.2

To:	Dave Callister, City Manager
Prepared by:	Steven Schmidt, Housing Manager
Reviewed by:	Grant Fernelius, CED Director
Item:	**Review Housing Improvement Area (HIA) Policy**

---

1. Action Requested:

Review Housing Improvement Area (HIA) Policy

2. Background:

Housing Improvement Area (HIA)

Staff has received numerous inquiries from various Homeowner Associations (HOA) requesting city assistance for repairs that are beyond the reach of the HOA's capital reserve funds. In an effort to respond to these requests and to continue Plymouth's commitment to preserving Naturally Occurring Affordable Housing (NOAH), housing staff is proposing the adoption of a Housing Improvement Area (HIA) Policy.

A Housing Improvement Area (HIA) is a defined area within the city in which improvements to townhomes, manufactured home parks or condominiums can be financed through city assistance. The HIA functions like a special assessment project. Repairs are funded with city assistance and assessed back to the condo or townhome development residents through a low interest loan. The HIA is a last resort financing option, must be initiated by the residents and can only be established when a majority (determined by the jurisdiction) of the residents approve the proposed work and future assessment.

The process for HIA implementation is highly technical and largely defined by the state legislature. However, the application process and fee schedule can vary by jurisdiction. To provide clarity about the process and define the specific requirements of the HIA program, many cities have adopted policies on how these requests are to be handled. Staff worked with several neighboring jurisdictions and have developed a policy and procedures to implement the HIA program in the city of Plymouth.

The proposed policy requires a $1,000 application fee to offset initial staff time expenses and a $10,000 initial escrow for outside legal counsel expenses necessary to establish an HIA. The policy also requires an administrative fee of the greater of 1% of the total project financed amount, or $5,000 for ongoing city staff time expenses. In addition, 65% owner approval is required for participation in the program and the minimum funding amount is $300,000.

The HRA Commission reviewed the Housing Improvement Area (HIA) policy and provided a recommendation to City Council for adoption. Staff will provide an overview of the Housing Improvement Area (HIA) policy for the city of Plymouth. As additional background information, there are at least three homeowners associations that have been tracking this policy and are interested in initiating an HIA if the policy is adopted. Staff is seeking feedback and support from council to finalize the program and bring it back for formal adoption at a future meeting.

3. Budget Impact:

N/A

4. Attachments:

1. Presentation
2. Housing Improvement Area (HIA)
3. HIA Timeline
4. HIA Policy Draft
5. HIA Property Standards

Housing Improvement Area

January 27, 2026

City of Plymouth

What is a Housing Improvement Area (HIA)?

- Public Financing Tool provided by MN State Statute 428A.11-428A.21
  - 1996
- Allows city to finance common area improvement projects for townhome and condominium associations
- Debt is repaid through the collection of HIA Fees through property owner taxes
  - Similar to a special assessment
  - 20-year max term

What is an HIA (continued)?

- Amount financed can include total or partial cost of common area improvements, predetermined interest and city’s admin and consultation costs
- Last resort criteria
  - Only if necessary improvements can not otherwise be financed through association fund balance, commercial loans or individual private owner loans
- Defined area and scope of improvements determined by the property owners

What Types of Improvements are Eligible?

- Maintenance and capital improvement repairs that are the responsibility of the Association
- Examples of items that may be eligible
  - Windows
  - Siding
  - Roof replacement or repair
  - Parking lot resurfacing
  - Common entry door replacement or repair
  - Complex common utilities – boiler, water lines
  - Elevators

HIA Process

1. Application, Petition to Establish HIA (50% minimum)
2. Public Hearing and Ordinance to establish HIA*
3. Procurement/Contracting for improvements
4. Financial Plan prepared
5. Public Hearing and Ordinance to impose Fees*
6. Improvement project
7. Annual payment and monitoring

** Subject to veto period*

HIA Policy

Develop a program tailored specifically to the city in addition to what is outlined in state statute.

- HIA policies and insights from neighboring communities
- Input and discussion from HRA Commission
- Input and legal review from city attorney

HIA Policy for Plymouth

- 65% owner approval at petition (minimum 50%)
- Initial application fee $1,000
- Escrow deposit for all external consultation costs $10,000
- Administrative fee at financing close for city administrative costs, (the greater of 1% of total financed amount or $5,000)
- Schedule for accepting applications (June 1 – September 30)
- Property Standards to be met by all HIA financed projects
- $300,000 minimum financed amount

Discussion and Next Steps

- HRA recommends adoption of HIA policy.
- Discuss Housing Improvement Area Policy for Plymouth
- Provide staff with feedback, changes, questions on HIA policy
- Policy could be presented in February (10th or 24th) for formal council adoption.

Note: At least two HOA's have reached out to staff with interest in pursuing an HIA, if policy is adopted.

City of
Plymouth

Housing Improvement Areas

October 2024

What are housing improvement areas?

A housing improvement area (HIA) is a defined area in a city in which housing improvements in condominium, townhome complexes, or manufactured home parks may be financed with the assistance of the city, or the city's economic development authority (EDA) or housing and redevelopment authority (HRA).

Prior to 1996, cities needed special legislation to establish an HIA. In 1996, cities were granted the authority under general law. The general law, codified in Minnesota Statutes, sections 428A.11 to 428A.21, sunsets June 30, 2028.

What improvements can be made in an HIA?

Allowable improvements include improvements to the common elements in a condominium complex, townhome development, or manufactured home park, such as roofing, siding, landscaping, roadways, and walkways.

How is an HIA established?

At property owners' request. An HIA can only be established at the request (petition) of at least 50 percent of the owners of the housing units in the proposed area. If the petition is filed, then the city prepares an ordinance that:

- describes the area specifically;
- states the basis for imposing fees and the number of years the fees will be imposed;
- makes a finding that without the HIA, the proposed improvements could not be made; and
- specifies if the city, the EDA, or HRA will implement the ordinance.

In addition, the city must fully disclose the public expenditures and financing for the projects, and determine whether the association or the implementing agency will contract for the work.

Before adopting the ordinance, the city must hold a public hearing at which the proposed improvements, affected housing units, and the exempt units are listed. Potentially affected property owners may testify at the hearing. Prior to the adoption of the ordinance or at the hearing, an owner of property in the proposed HIA may file a written objection with the city clerk asserting that the property should not be included in the HIA or should not be subjected to the fee because the property will not benefit from the improvements. The city must make a determination regarding the exclusion of the property in the HIA within 60 days. Within 30 days after that determination is made, a property owner may appeal the city's decision to the district court.

The ordinance may be adopted within six months after the conclusion of the public hearing. If 45 percent or more of the affected residents file an objection, the HIA is not established.

By **Justin Cope**, justin.cope@house.mn.gov

How are the improvements financed?

The city may finance the housing improvements by:

1) advancing funds available to the city and then recovering the costs by charging the property owners fees; or
2) issuing bonds and then imposing fees to repay the bonds. The bonds are not included in the city's net debt and no election is required for their issuance.

After adopting the ordinance establishing an HIA, the city must separately adopt a resolution in order to impose a fee within the HIA. As with the process for establishing the HIA, the city must provide public notice and hold a public hearing on the proposed resolution. Within six months of the conclusion of the public hearing, the city may adopt the resolution to impose the fee.

Fees can be imposed on the basis of the tax capacity (value) of the housing unit, total square footage of the housing unit, or a method determined by the city and specified in the resolution. Before a city uses an alternative method to set fees, it must make a finding that the alternative basis is more fair and reasonable.

The city, HRA, or EDA may collect the fees in the same manner as provided for the collection of property taxes. The due dates, penalties, and interest applicable to property taxes apply to fees collected under this authority.

What plans or reports are required?

Before the city imposes and collects the fee, the condominium, townhome association, or manufactured home park must develop a long-term plan to maintain the complex. The plan must address operations, maintenance, and necessary capital improvements of the common elements. It must identify financing for the projects. The association must also submit its audited financial report to the city annually.

Are any other local units of government allowed to establish an HIA?

In 2014, the legislature passed a law authorizing the Ramsey County Housing and Redevelopment Authority to exercise housing improvement district powers. This is the same authority granted to the Dakota County Community Development Agency in 2013.

Timeline & Requirements for Establishment of a Housing Improvement Area			
Item/Milestone	**Responsible Party**	**Time Required (~ = Estimated)**	**Notes**
Petition to Establish HIA			
50% or more owners submit petition to hold public hearing to establish HIA	HOA	~1 month	
Public Hearing & Ordinance to Establish HIA			
Draft Ordinance to Establish HIA	City	~2 weeks	
Written Notice of Public Hearing to Property Owners	City	minimum 10 days prior to hearing	
Newspaper Publication of Public Hearing Notice	City	minimum 7 days prior to hearing	
Mail Publication to Property Owners	City	minimum 7 days prior to hearing	
City Council Approval of Ordinance	City	after public hearing (within 6 months)	-expected approval either same meeting or within 1 month -ordinance specifies area, basis and term of fees, and specifies if city or HRA will implement the ordinance
Effective Date of Ordinance	City	minimum 45 days after adoption	
Send copy of ordinance to Commisioner of Revenue	City	within 30 days after adoption	
Veto Period- owners or residences may file objection to City Clerk before effective date of ordinance	HOA	prior to effective date of ordinance	HIA not established if 45% or more file written objection prior to effective date of ordinance
Advisory Board Established (optional, not required by statute)	City	~1 month	City implementing entity may create and appoint an advisory board for the HIA to advise planning and construction of improvements
Procurement/Contracting for Improvements	City or HOA	~1-3 months	HIA ordinance will specify responsible party for contracting (can be HOA or City)
Public Hearing & Resolution to Impose Fees			
HOA Prepares & Submits Long-Range Maintenance, Operations, & Capital Improvement Plan	HOA	~1-3 months	
Draft Ordinance to Establish HIA Fee	City	~1 month	
Written Notice of Public Hearing to Property Owners	City	minimum 7 days prior to hearing	
Newspaper Publication of Public Hearing Notice	City	minimum 7 days prior to hearing	
City Approval of Ordinance to Impose Fees	City	after public hearing (within 6 months)	
Effective Date of Ordinance	City	minimum 45 days after adoption	
Veto Period- owners or residences may file objection to City Clerk before effective date of ordinance	HOA	prior to effective date of ordinance	ordinance not established if 45% or more file written objection prior to effective date of ordinance

City of Plymouth
Housing Improvement Area Policy
Approved Month X, 2026

1. PURPOSE

1.01 The purpose of this policy is to establish City of Plymouth and Housing and Redevelopment Authority in and for the City of Plymouth (HRA) conditions for the use of Housing Improvement Area (HIA) financing for privately owned townhome, condominium, and manufactured home park housing improvement projects. The HRA will accept these applications for review and make a recommendation to the City Council. Requests for the establishment of HIAs will be reviewed in accordance with state law and this HIA Policy.

1.02 The City/HRA shall have the option of amending or waiving sections of this policy when determined necessary or appropriate.

2. AUTHORITY

2.01 The City has the authority to adopt an ordinance establishing HIAs under Minnesota Statutes, Sections 428A.11 to 428.21, as amended. The City may designate the HRA as the implementing entity, which shall be responsible for implementing and administering the HIA. Such authority expires June 30, 2028, unless extended by the legislature.

2.02 Within a HIA, the City has the authority to:

A. Make housing improvements.
B. Issue bonds or use other funds to pay for housing improvements.
C. Levy fees and assessments, including interest.

3. RESPONSIBILITY

3.01 The HRA has the authority to review each HIA request through a two-step application process, including a petition, scope of proposed housing improvements, Association's finances, long term financial plan, and the support of at least 65% of the private property association members. The HRA Board of Commissioners will review applicant information, or an appropriate summary thereof, for each HIA proposed housing improvement project at a public meeting. If approved by the HRA Board, the applicant information, or an appropriate summary thereof, will be provided to the City Council for review prior to a public hearing before the City Council.

3.02 For purposes of this Policy, the term "private property association member" means the housing unit owner. Such that if one owns more than one housing unit in the housing improvement area, then the owner gets one vote per owned housing unit; and a tenant/occupant of a housing unit that is not also an owner does not get a vote.

4. ELIGIBLE USES OF HIA FINANCING

4.01 As a matter of adopted policy, the City/HRA will consider using HIA financing to assist private property association members only in circumstances in which the proposed privately owned housing improvement project will address one or more of the following goals:

A. To promote stabilization and revitalization by removing blight and/or upgrading the existing housing stock in a neighborhood.
B. To correct housing or building code violations as identified by the City code enforcement staff.
C. To maintain or obtain Federal Housing Administration (FHA) mortgage eligibility for a particular condominium or townhome association within the designated HIA.
D. To preserve or increase valuation and provide for the long-term maintenance of the property.
E. To preserve naturally occurring affordable housing (NOAH).
F. To stabilize or increase the owner-occupancy level within a neighborhood or association.
G. To meet other goals of stated public policy as adopted by the City of Plymouth from time to time, including promotion of quality urban design, quality architectural design, energy conservation, or decreasing the capital and operating costs of local government, and other related policy goals.

5. HIA APPROVAL CRITERIA

5.01 In order to be eligible for HIA financing through the City, the Association must submit a housing improvement project application and follow the HIA review process set forth in this Policy, along with an application fee and escrow deposit as set from time to time by resolution of the City Council. All Housing Improvement Area loans financed through the City of Plymouth must meet the following minimum criteria. A proposed housing improvement project that meets these criteria is not automatically approved. Meeting these criteria creates no contractual rights on the part of an association.

A. The proposed housing improvement project must be in accordance with the Comprehensive Plan and Zoning Ordinances, or required changes to the Plan and Ordinances must be under active consideration by the City at the time of application.
B. The HIA financing shall be provided within applicable state legislative restrictions, debt limit guidelines, and City/HRA financial requirements and policies.
C. The proposed housing improvement project must meet one or more of the above adopted HIA Goals of the City of Plymouth, as noted in Section 4.
D. The Association shall designate an administrator who will be the City's point of contact throughout the process for HIA financing.
E. The term of the HIA should be the shortest term possible while still making the annual fee affordable, as to not cause economic hardship, to the association members. The term of any bonds or other debt incurred for the HIA shall mature in 20 years or less. The City has

the sole discretion to determine the source(s) of financing, and sources other than issuing bonds may be used.

F. Service charges (including, but not limited to, construction/housing improvement project costs, cost of issuance of bonds and other pertinent costs associated with the proposed housing improvement project) will be imposed on the association members in the same ratio as common elements or other such uniform method as proposed by the applicant.
G. The Association applying for HIA financing must provide adequate financial guarantees to ensure the repayment of potential HIA financing and the performance of the administrative requirements of the development agreement. Financial guarantees may include, but are not limited to the pledge of the Association's assets, including reserves, operating funds and/or property.
H. The proposed housing improvement project, including the use of HIA financing, must be supported, in writing, by at least sixty-five percent (65%) of the Association members. The Association must include with its HIA proposed housing improvement project application, the results of a vote of support by a minimum of 65% of Association members along with the petitions to create the area.
I. The minimum housing improvement project cost is $300,000.
J. The Association must have a replacement reserve study (the "Reserve Study") prepared by an independent third party, with designation as a Community Associations Institute (CAI) certified reserve specialist. The Reserve Study must conform to CAI Reserve Study standards. The components of the Reserve Study must include a thirty-year replacement reserve plan (the "Reserve Plan"), and the Reserve Study and Reserve Plan must be submitted with the proposed housing improvement project application and will be reviewed by the City's financial advisor. The Association must also have an independent third party prepare a thirty-year reserve plan (the "HIA Reserve Plan") with the components of the proposed project for housing improvements removed from the Reserve Plan. The independent third party must also prepare a thirty-year financial plan (the "Financial Plan") that reflects the annual replacement reserve contributions based on the HIA Reserve Plan. The Financial Plan will provide a plan for the Association's operating budget with cost increases over time to finance maintenance and operation of the common elements within the Association and a long-range plan to conduct and finance capital improvements therein, that does not rely upon the subsequent use of the HIA tool. The HIA Reserve Plan and the Financial Plan must be submitted with the proposed housing improvement project application and will be reviewed by the City's financial advisor.
K. HIA financial assistance is last resort financing and will not be provided to proposed housing improvement projects that have the financial stability to proceed without the benefit of HIA financing. Evidence that the Association has sought other permanent financing for the proposed housing improvement project must be provided at time of application and should include an explanation and verification that an assessment by the Association is not feasible, along with rejection letters from at least two private lenders or other evidence indicating a lack of financing options.
L. The Association shall obtain temporary construction financing from a private lender and the City shall provide a take-out commitment to the lender, detailing the terms for the payoff of the construction financing. Upon final approval of the housing improvement project and issuance of a certificate of completion, the City will issue bonds or notes to satisfy the temporary construction loan.

M. The Association must be willing to enter into a development agreement, prepared by the City/HRA, which may include, but is not limited to, the following terms:
    a. Establishment of a reserve fund;
    b. Staffing requirements
    c. Annual reporting and financial auditing requirements;
    d. Conditions of disbursement;
    e. Required dues increases;
    f. Notification to new Association members of levied fees by specified party, including the individuals that purchase property after the initial development;
    g. Limitations on prepayment of fees, if any;
    h. Requirement of multiple bids for proposed housing improvement project construction from a reputable contractor licensed in the State of Minnesota;
    i. Setting of minimum requirements for insurance for any hired contractor or subcontractor;
    j. Requirement for warranties for materials used and work performed by any hired contractor or subcontractor;
    k. Requirement for approval by the City/HRA for any hired general contractor prior to commencement of any work;
    l. Hiring of a construction manager and/or owner's representative to monitor performance of the general contractor; and
    m. Assessments, including interest and City/HRA fees.

N. Any project for housing improvements financed through the HIA shall address all items not in compliance with the HIA Property Standards. Items defined within the governing documents of the Association as common elements are eligible for HIA financing. Limited Common Elements may be eligible for HIA financing if the costs of proposed project for housing improvements are prorated among Association members in the same ratio as common elements or such other uniform method as proposed by the applicant. The proposed components for housing improvement projects must be of a permanent nature and must normally be reflected in the Reserve Study.

O. HIA financing will not be provided to a proposed housing improvement project that is not in the public interest, as determined by the City, including but not limited to: poor project quality; a project that is not in accordance with the Comprehensive Plan, zoning, redevelopment plans, and City policies; projects that provide no significant improvement to the neighborhood and/or the City; and projects that do not provide a significant increase in the tax base and/or prevent the loss of tax base.

P. The financial structure of the proposed housing improvement project must receive a favorable review by the City's Chief Financial Officer, Financial Advisor and the legal components reviewed by City/HRA legal counsel. If applicable, the review will include analysis of performance and amount of outstanding debt related to any previously approved HIA project.

Q. If bonds are to be issued, legal components will be reviewed by the City/HRA bond counsel.

R. All rental units within the HIA must be licensed according to Plymouth ordinance.

6. OTHER PROVISIONS

6.01 The City will receive and process Housing Improvement Area project applications between June 1 and September 30 of each year ("Open Application Period"). Applications submitted outside of the Open Application Period will be considered on a case-by-case basis due to demonstrated unforeseen circumstances.

6.02 The Association is to submit a $1,000 non-refundable application fee, as set from time to time by resolution of the City Council.

6.03 The City/HRA will charge an administrative fee of the greater of 1% of the total project financed amount or $5,000. This amount will be due at the time of financing close.

6.04 The Association is responsible for all City/HRA consulting expenses. An escrow deposit in the amount of $10,000 is required at the time the Association submits the supplemental application materials, after preliminary review of the project by HRA and City staff. The escrow will be drawn upon to pay all of the City's costs for legal and fiscal review of this project including Bond Counsel (if not included in the bond amount), financial advisor, City attorney, and other external administrative costs. If the escrow becomes depleted prior to the issuance of bonds, the Association will be required to replenish the escrow. Any unused portion of the escrow shall be refundable to the Association.

6.05 The City/HRA reserves the right to deny funding for specific components of proposed housing improvement projects if any are determined not to be in accordance with the intent of this Policy.

City of Plymouth
Housing Improvement Area
Property Standards

These City standards provide a basis for assuring that a project meets minimum conditions established by the City. The scope of work for the project must include all items necessary to bring the association into compliance with all property standards. Only items that are the responsibility of the association (as determined by the association bylaws) are subject to these requirements. The following minimum standards are hereby accepted for implementation in the Housing Improvement Area (HIA) Program.

Site

The condition of exterior stairways, walkways, driveways, etc., shall not present a danger of tripping or falling. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in sound and good repair and maintained free from hazardous conditions.

The appearance of the site, after rehabilitation, should make a positive contribution to the general appearance of the association. To this extent, other items identified as deficient (including but not limited to, play areas, exterior lighting, landscaping, signage, and common spaces) should be included as part of the scope of work.

Grass maintenance on private property. Lawns of grass or weeds shall not exceed a height of 8", or be allowed to go to seed as required in Chapter 8 of Plymouth City Code.

Refuse Storage & Disposal. Refuse, trash, or residential solid waste must be properly stored and collected according to the requirements in Chapter 6 of Plymouth City Code.

Vehicles / Junk Vehicles / Furniture / Household Appliances. Vehicles must be parked or stored on driveways areas. It is unlawful to park or store a vehicle that is unlicensed, inoperable, or displaying expired registration tabs outside of a garage. Household furnishings or appliances, unless intended and constructed for outdoor use, must not be stored outdoors.

Fence Maintenance & Paint. All exterior fence shall be maintained in good repair. No fence section shall have peeling, cracked, chipped or deteriorated surface finish. The fence shall not be leaning or in the stage of collapse; firmly fastened and anchored. In addition, all fences must comply with standards in Section 21130.01 of Plymouth City Code.

Pool & Fence Requirements. All swimming pools and spas shall be City permitted and maintained according to the requirements of the State Pool Code, MN Rules Chapter 4717 and Plymouth City Code Chapter 9, 10, 21 and 7.

Structure and Materials

The general appearance of the outside of the structure, after rehabilitation, should make a positive contribution to the general appearance of the association.

Surface Condition. No part of exterior surface shall have deterioration, holes, breaks, or loose or rotting siding. All exterior surfaces shall be maintained in good condition and wood shall be protected from decay by painting or other protective treatment.

Paint / Finish Condition. Every exterior surface shall be maintained to avoid noticeable deterioration of the finish. No wall or other exterior surface shall have peeling, cracked, chipped, or otherwise deteriorated finish.

Siding / Masonry Joints Condition. All siding and masonry joints, including joints between the building envelope and the perimeter of windows, doors, and skylights, shall be maintained weather resistant and watertight.

Foundation Walls Condition. All foundation walls shall be maintained so as to prevent the entry of rodents as well as structural stability and intrusion of water.

Roofs & Drainage Condition. Roof structures, including but not limited to: drains, gutters and downspouts, fascia and trim, shall be maintained in good repair. All roof drainage systems shall be attached securely.

Building Projections Condition. Chimney, antennae, air vents, and other similar projections shall be structurally sound and in good repair. Such projections shall be attached securely, where applicable, to an exterior wall or roof.

Window / Door / Light Fixture Condition. Every window, exterior light fixture, skylight, door and frame shall be kept in sound condition; good repair, weather tight, and shall be maintained free from cracks and holes.

Decorative Features Condition. All cornices, moldings, decorative features, lintels, sills, bay or dormer windows, and similar projections shall be kept in good repair and free from cracks and defects which make them hazardous or unsightly.

Stairway & Exterior Safety Conditions. Every exterior stairway, ramp, deck, porch, balcony, etc. shall be kept in sound and good repair, maintained structurally sound and free of hazardous conditions, anchored and capable of supporting the imposed loads for which it was designed.

Handrails / Guardrails Condition. Every handrail and guardrail shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in sound and good repair and free from hazardous conditions.

Building Numbers Required. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numeral or alphabet letters. Numbers shall be a minimum of 4 inches in height.

Compliance with other Codes, Regulations, and Bylaws

- The completed Rehabilitation must meet the Minnesota State Building Code as well as all other state codes that have been adopted by the City of Plymouth.
- The contractor will be responsible for applying for and fulfilling any and all applicable building and trade permits and meeting the local building codes.
- Lead based paint-all work performed on structures built before 1978 shall be in compliance with the Environmental Protection Agency (EPA) Renovation, Repair, and Painting Rule (RRP).

Various state and federal laws, rules, and regulations and certain other codes are adopted by reference into these Standards. At least one copy of the adopted item will be kept for public review by the city clerk or the clerk's designee. Adoption of a state and federal law, rule, or regulation includes any subsequent amendments unless expressly stated otherwise.

Last Updated May 15, 2025

Special City Council
January 27, 2026
Agenda Number: 2.3

To: Dave Callister, City Manager

Prepared by: Amy Gottschalk, Deputy City Clerk

Reviewed by: Jodi Gallup, City Clerk

Item: **Review tobacco licensing regulations**

1. Action Requested:
Review tobacco licensing regulations and policy considerations.

2. Background:
The council met on October 28, 2025 to discuss the tobacco licensing ordinance and license limit options. Council members discussed pros and cons for each option, including regulatory, economic impact and public health considerations and directed staff to conduct further analysis to be discussed at a future study session.

Existing Tobacco Reduction Efforts
The city has demonstrated a long-standing commitment to reducing tobacco use through its tobacco-free policy, in place since 2003 for all city-owned parkland, park facilities, open space and joint city–school district properties. The policy was expanded in 2014 to include vaping and electronic smoking devices, and again in 2023 to include cannabis.

In 2023, the city also codified the prohibition of smoking in city parks within the city code. In addition, the city code prohibits smoking in the indoor area of tobacco retail establishments and smoking for the purpose of sampling tobacco products, further limiting exposure to secondhand smoke and normalizing smoke-free environments.

Complementing these measures, the city's personnel policy designates all city facilities as a smoke-free campus, prohibiting smoking and vaping in city buildings, vehicles and anywhere on city grounds.

Current Licensing Overview
The City of Plymouth currently has 40 total tobacco licenses. Four of the licenses are for exclusive tobacco shops.

This report expands upon the prior staff report by addressing specific questions raised by council related to business viability, peer city experience, public health outcomes, enforcement practices and fiscal impacts.

Public Health Considerations
Hennepin County Public Health pulled data and provided a memorandum and presentation to address questions from the October 28 meeting. The memorandum and presentation are attached for review. Jackie Siewert from Hennepin County Public Health and Emily Anderson from Association for Nonsmokers—Minnesota will be present at the meeting to answer any questions.

Economic Impact
City staff reached out to peer cities who have implemented a cap and nine of the cities responded. Overall, cities that have implemented caps on tobacco licenses or exclusive tobacco shops report minimal negative impacts, little to no business loss, and general acceptance by existing businesses. In some cases, existing license holders expressed appreciation for reduced competition. Interest from new businesses continues, but is typically managed through waitlists or denied due to caps. No city reported widespread business failures as a result of license caps. Where issues arose, they were largely related to ownership transfers and resale value, which some cities later addressed through ordinance amendments. According to the MN Department of Revenue, sales tax is not collected on cigarettes. However, there are cigarette taxes collected under Minnesota Statute 297F.10. $22,250,000 each year goes to the UMN Academic Health Center special revenue fund and $3,788,000 each year goes to the medical education and research costs account of the commissioner of health. The remainder goes to the state general fund.

Peer cities typically recover enforcement costs through annual tobacco license fees and administrative penalties for failed compliance checks. Annual license fees generally range from $200 to $750, with additional fines assessed for violations. Plymouth currently has 40 tobacco licenses at $300 each for a total annual revenue of $12,000.

Enforcement Practices
Cities increase fees for repeat violations to offset enforcement costs and deter noncompliance. The majority of the peer cities have an administrative fine of $300 for the first violation, $600 for the second violation within 36 months, $1,000 for the third violation and seven-day license suspension within 36 months and license revocation for the fourth violation within 36 months.

Plymouth's administrative penalties are $500 and a five-day stayed suspension for the first violation, $700 and a five-day suspension for the second violation within 36 months, $1,000 and a 10-day suspension for the third violation within 36 months and license revocation for the fourth violation within 36 months.

Peer City Review
Staff conducted a review of tobacco licensing practices in 29 peer cities. Key findings include:

- 16 cities currently impose a limit on the number of tobacco licenses.
- The majority of these cities only limit exclusive tobacco shops, not accessory retailers. Maple Grove, for example, limits exclusive tobacco shops to five, while allowing an unlimited number of accessory retailers.
- Some cities have adopted a phased-reduction approach, allowing existing licenses to remain but not issuing new ones as licenses are revoked or expire. Bloomington has adopted a policy of not accepting new tobacco license applications, effectively reducing the number of licenses to zero over time.

Policy Options for Council Consideration

1. Cap on licenses: exclusive tobacco shops or tobacco retail licenses
2. Establish buffer zones
3. Increase annual license and penalty fees
4. No change to existing ordinance

Next Steps
If City Council wishes to proceed, staff will prepare a draft ordinance consistent with council direction. Staff requests council feedback on preferred policy direction before proceeding with ordinance drafting.
If any changes are to be made, outreach will be conducted to current tobacco license holders, and this item will return to council at a future date for formal consideration.

3. Budget Impact:
Not applicable.

4. Attachments:
1. Presentation
2. Hennepin County Public Health Memo
3. Hennepin County Public Health Presentation
4. License Fees by City
5. Violation Fees by City
6. Updated Tobacco License Survey
7. October 28 Staff Report

Tobacco Licensing Regulations

January 27, 2026

City of Plymouth

Background

- Current reduction efforts
  - Tobacco Free Policy
  - Codified in City Code to prohibit smoking in the parks
  - City Code prohibits indoor smoking/sampling in tobacco retail establishments
  - Smoke-free campus policy

- Current licensing
  - City issues licenses (40 total)

Cap-Limiting the number of retail tobacco licenses

- Exclusive license vs. retail (accessory)
- How many licenses
  - Current Level (40 total) (four tobacco only)
  - Cap at other level per council discretion
  - Cap at zero through attrition
  - Current practice: no cap
- Considerations:
  - Economic impact – license resale, loss of potential new business, customer convenience
  - Public health impact – reduction in tobacco access and exposure
  - Regulatory – staff time (licensing and enforcement), control over retail density

Establish buffer zones

- Types of buffer
  - From schools, residential treatment facilities, parks, etc.
- Distance of buffer
  - 500', 1,000', etc.
  - Current practice: no buffer
- Considerations:
  - Economic impact – limit retail opportunities in dense areas
  - Public health impact – reduction in tobacco access and exposure
  - Regulatory – creates legal non-conforming use issues

Amend licensing fees and penalty fees

- Annual license fee
  - Increase to median fee (+ $25)
  - Increase to highest license fee (+$450)
  - Current practice: $300 annual fee
- Penalty fees
  - Reduce to median initial penalty fee (- $200)
  - Increase to highest initial penalty fee (+$500)
  - Current practice: $500 initial penalty fee
- Considerations:
  - Regulatory – penalty fees deter non-compliance

Wrap Up

- Questions
  - Hennepin County Health, Economic Development, Public Safety, etc.
- Council Direction
  - Cap limiting the number of retail tobacco licenses
  - Establish buffer zones
  - Amend licensing fees and penalty fees
  - No change to existing ordinance
  - Other considerations
- Next steps
  - Prepare a draft ordinance if needed per council direction
  - Conduct outreach to current tobacco license holders if policy changes
  - Return to council for formal consideration

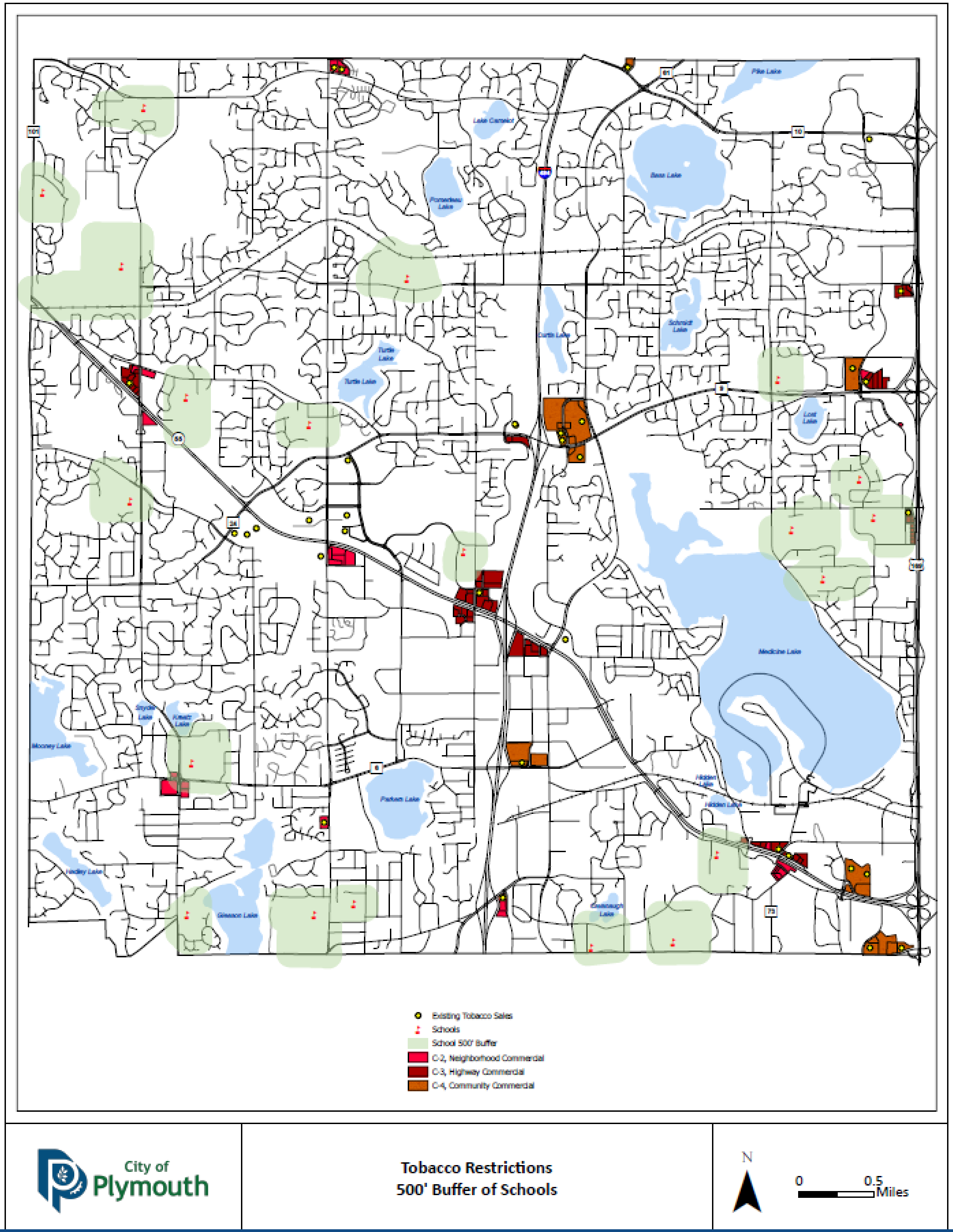
Appendix

City	Cap on Exclusive Shops	Cap on Total Licenses
Arden Hills	0	6
Bloomington	0	0
Champlin	2	-
Little Canada	2	5
Robbinsdale	2	11
Columbia Heights	3	-
New Brighton	4	-
Richfield	4	4
Maple Grove	5	-
Crystal	6	-
Minnetonka	6	-
Vadnais Heights	6	6
Golden Valley	8	8
White Bear Lake	10	-
Blaine	12	50
New Hope	21	21
Brooklyn Park	-	-
Burnsville	-	-
Coon Rapids	-	-
Cottage Grove	-	-
Edina	-	-
Eden Prairie	-	-
Hopkins	-	-
Maplewood	-	-
Oak Grove	-	-
Plymouth	-	-
Ramsey	-	-
Rogers	-	-
Saint Louis Park	-	-
Woodbury	-	-

Liquor Buffer Map

500' buffer from:

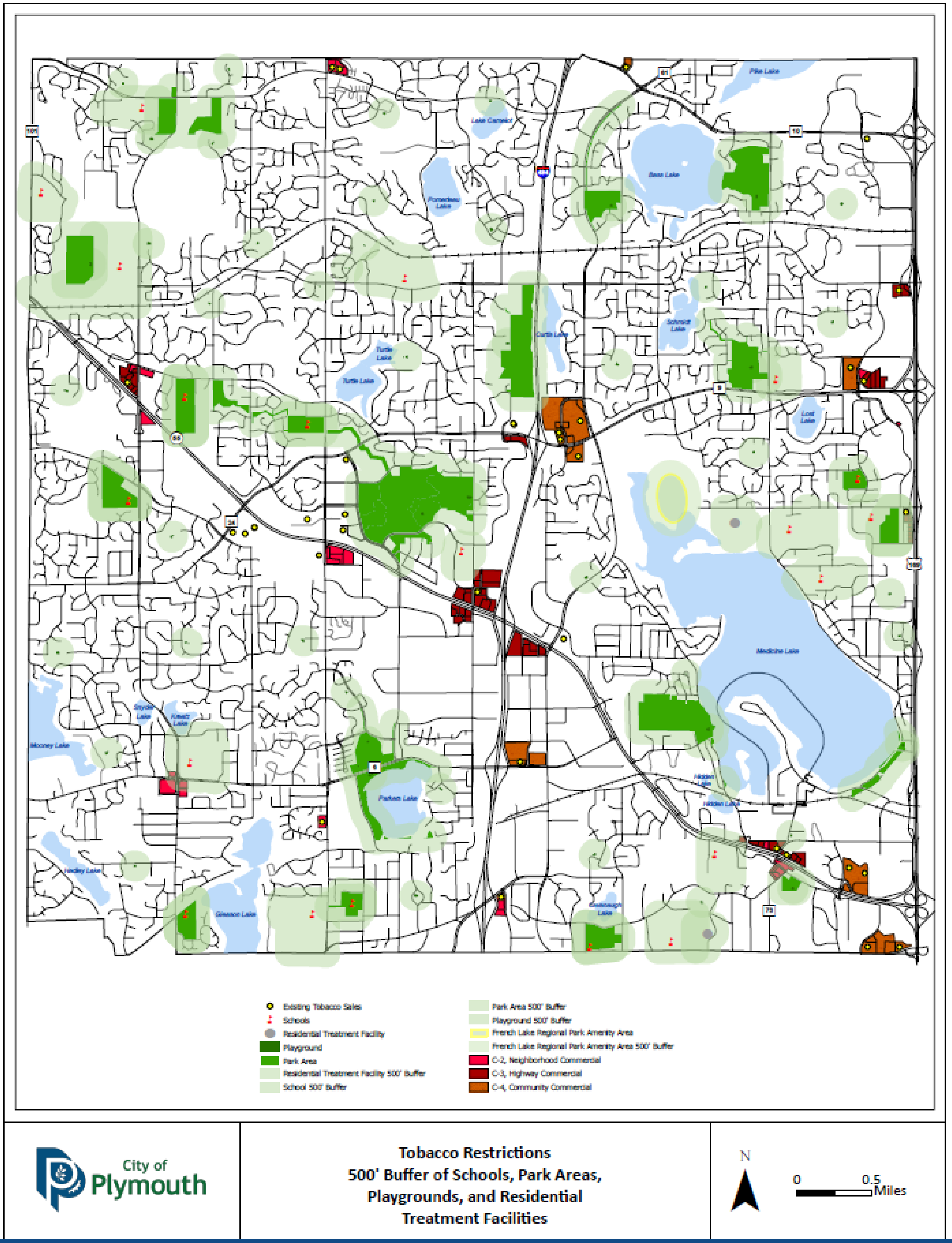
- Schools

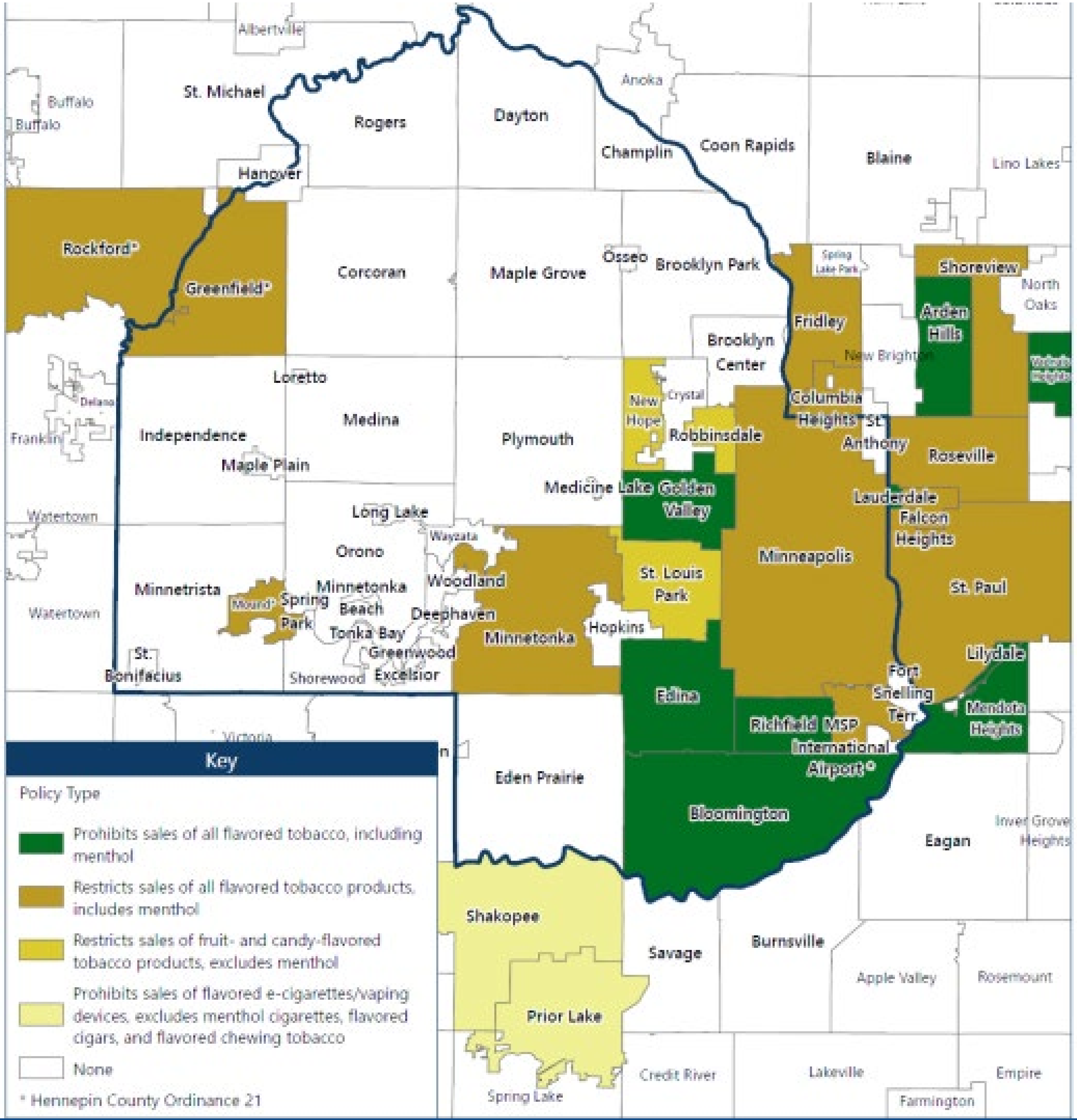


Cannabis Buffer

500' buffer from:

- Schools
- Residential facilities
- Park amenity regularly used by minors




Albertville
Buffalo
St. Michael
Rogers
Dayton
Anoka
Champlin
Coon Rapids
Blaine
Lino Lakes
Hanover
Rockford*
Greenfield*
Corcoran
Maple Grove
Osseo
Brooklyn Park
Spring Lake Park
Shoreview
North Oaks
Fridley
Arden Hills
Brooklyn Center
New Brighton
Loretto
Delano
Medina
Independence
Maple Plain
Franklin
New Hope
Crystal
Robbinsdale
Columbia Heights
St. Anthony
Plymouth
Roseville
Medicine Lake
Golden Valley
Lauderdale
Falcon Heights
Long Lake
Watertown
Wayzata
Orono
Minneapolis
St. Louis Park
Minnetrista
Mound*
Spring Park
Minnetonka Beach
Woodland
Deephaven
St. Paul
Tonka Bay
Minnetonka
Hopkins
Greenwood
Lilydale
St. Bonifacius
Shorewood
Excelsior
Edina
Fort Snelling Terr.
Mendota Heights
Victoria
Richfield
MSP International Airport*
Key
Policy Type
Prohibits sales of all flavored tobacco, including menthol
Restricts sales of all flavored tobacco products, includes menthol
Restricts sales of fruit- and candy-flavored tobacco products, excludes menthol
Prohibits sales of flavored e-cigarettes/vaping devices, excludes menthol cigarettes, flavored cigars, and flavored chewing tobacco
None
* Hennepin County Ordinance 21
Eden Prairie
Bloomington
Eagan
Inver Grove Heights
Shakopee
Savage
Burnsville
Apple Valley
Rosemount
Prior Lake
Credit River
Lakeville
Empire
Spring Lake
Farmington

Memo

To: Plymouth City Clerk, Jodi Gallup, Deputy Clerk, Amy Gottschalk, and Members of the Plymouth City Council

From: Jackie Siewert, Hennepin County Public Health and Emily Anderson, Association for Nonsmokers - Minnesota

Date: January 12, 2026

Subject: Plymouth commercial tobacco retail license ordinance

This memo is provided in response to questions that Hennepin County Public Health and the Association for Nonsmokers – Minnesota received from Plymouth city staff and councilmembers. Questions were generated at the October 28, 2025 Plymouth city council study session on the city's commercial tobacco retail license ordinance.

Question 1

Has the percent of tobacco users dropped by reducing the number of licenses? Any data from cities who have a cap showing a decline in the tobacco rate?

Answer

Although we do not have any Minnesota city-specific data, the relationship between the density of commercial tobacco retailers and commercial tobacco use is well established. Research shows that the availability of commercial tobacco contributes to higher smoking and initiation rates among youth and adults.

Additional information and sources

https://countertobacco.org/policy/licensing-and-zoning/

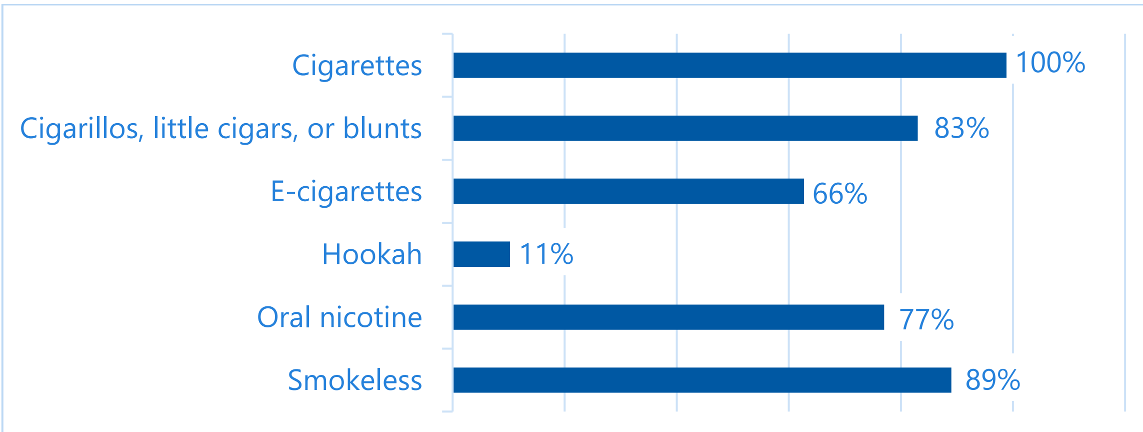
Question 2

Tobacco vs. vape sales? I believe you may already have this data, but not sure if you can specify by city.

Answer

Hennepin County assessed commercial tobacco retailers in Plymouth in December 2025. The chart below shows the percentage of retailers in Plymouth selling different commercial tobacco products, including vapes (e-cigarettes).

Percent of retailers selling commercial tobacco products (n=35)



Additional information and sources

- Plymouth Commercial Tobacco Retailer Assessment Results (2025): Attachment A
- Hennepin County Commercial Tobacco Retailer Assessment Results (2024): Attachment B

Question #3

More information on Bloomington's process in implementing their zero cap to attrition.

Answer

Bloomington opted to take a comprehensive approach when updating their ordinance in 2021 and addressed several factors related to commercial tobacco use and exposure including flavored products and the number of tobacco licenses. Their ordinance sets a total cap on tobacco licenses in the city. When a license is not renewed, such as if a retailer closes or chooses to stop selling tobacco products, the license is permanently retired. This "zero cap" effectively reduces the overall number of licenses over time. Existing retailers would be allowed to continue sales until the sale or transfer of ownership of a business. In the meantime, no new retailers would be allowed to receive a license.

Bloomington opted to set their tobacco license cap at zero because communities with a higher density of commercial tobacco retailers expose more youth and young adults to commercial tobacco industry marketing and make it easier for youth and young adults to obtain licensed products.

Retail availability of tobacco also increases exposure to industry point-of-sale advertising, marketing, and promotion, contributes to social and environmental inequities, and contributes to higher smoking rates of youth and adult commercial tobacco use. Retail availability of commercial tobacco products also encourages impulse purchasing of tobacco products, prompts cravings, and undermines quit attempts.

Upon passing the ordinance, Council Member Jenna Carter stated:

> *"We have also taken a bold step toward a tobacco-free future here in our city. By no longer issuing new tobacco licenses and by sunsetting existing licenses, we will one day live in a city free from the impacts of commercial tobacco sales."*

Additional information and resources

Reducing Tobacco Access through Licensing Restrictions

Question #4

How much would the city lose [in regard to economic development] if [tobacco] licenses were capped? Any data from cities who have a cap?

Answer

While it is difficult to quantify the exact economic impact of tobacco retailers, a tobacco license cap does not necessarily mean less overall business and revenue in the city. In fact, a tobacco license cap may lead to more economic opportunity/development for businesses that contribute to the greater good of the city.

There is also data to suggest that reducing or even completely ending the sale of commercial tobacco products does not have a negative overall economic impact of the local economy. A recent study (linked below) looked at two California communities (Beverly Hills and Manhattan Beach) that completely ended the sale of commercial tobacco products. The study found that the ordinances did not result in substantial cross-border shopping and that the sale of non-tobacco products in the city remained steady post-ban. This suggests that the policies did not adversely affect local retail economies.

Additional information and sources

- Effect of tobacco sales bans on retail sales in Beverly Hills and Manhattan Beach, California, USA: a synthetic difference-in-differences analysis - PubMed
- Reducing the Number of Tobacco Licenses in Your Community – Association for Nonsmokers - Minnesota: Attachment C

Question #5

Would businesses fail? Any information from other cities who have capped tobacco licenses.

Answer

Businesses are unlikely to fail due to a license cap. In fact, many existing retailers support license caps because it reduces competition.

License caps do not take away licenses from any existing businesses. If current license holders remain in good standing with the city, they can continue their operations as usual. A license cap just prevents new tobacco businesses from opening in the city. It is hard to predict if and how many new tobacco businesses would open in a community without a license cap as there are extenuating factors including market saturation and zoning provisions

Question #6

Any other useful public health information related to tobacco sales?

Answer

A multi-pronged approach is needed when addressing commercial tobacco use in the community. Each of the following best practice approaches listed below play a key role in preventing youth initiation of commercial tobacco products, supporting adults who currently use a commercial tobacco product to quit, and preventing secondhand smoke exposure.

Below are evidence-based strategies, supported by research and model policies that cities can adopt into city code and will help reduce commercial tobacco use, prevent initiation, and promote a healthier community for all residents. The recommendations are based on the model policy from Public Health Law Center and include the following context.

End the Sale of Flavored Commercial Tobacco Products

Nearly all commercial tobacco products come in a variety of candy, fruit, mint and novelty flavors. Flavored products are especially appealing to youth, who are much more likely to use flavored products than adults. Young people think flavored commercial tobacco products taste better and are safer than unflavored products, even though they are just as dangerous and addictive. Many jurisdictions in Minnesota have adopted this provision to reduce the availability and accessibility of flavored commercial tobacco products for youth. For more information, here is a publication by the Public Health Law Center, "Flavored Tobacco Bans: Fact vs. Fiction."

Hennepin County map of flavored commercial tobacco policies: Attachment D

Cap the Number of Commercial Tobacco Retail Licenses

Some jurisdictions have chosen to limit the number of licenses granted. There are varied approaches to restricting the number of tobacco licenses, including setting a cap at zero licenses, Setting a cap of one or more on the total number of licenses and requiring any prospective tobacco or e-cigarette retailer in excess of the cap to join a waiting list until an existing license becomes available, Setting a cap at a specific number of licenses based on population. For more information here is a publication by the Public Health Law Center, "Location, Location, Location: Tobacco & E-Cig Point of Sale."

Restrict Coupons and Price Promotions

The price of commercial tobacco products directly affects the consumption levels, particularly among price-sensitive consumers, including youth, young adults, and those with limited financial means. Some pricing strategies used include "buy-one-get one" coupons, cents, or dollar off promotions, and multi pack offers, which are often marketed and redeemed at the point-of-sale. Jurisdictions can prohibit the redemption of these price discounts to negate the sophisticated discounting strategies of the commercial tobacco industry. Several jurisdictions in Minnesota have adopted this provision to keep the price of licensed products high to discourage availability to youth. For more information, here is a publication by the Public Health Law Center, "Death on a Discount."

Set a Minimum Price and Package Size

Setting a minimum price for tobacco products is an effective public health policy. Establishing a minimum price helps discourage youth smoking and reduces overall tobacco consumption. To complement this, setting standardized package sizes is important. This ensures pricing consistency and prevents manufacturers from circumventing minimum price rules through smaller, more affordable pack sizes. The additional revenue when setting a minimum price will be held by the retailer.

Strengthen Penalty Structure

Some jurisdictions have a violation structure like what is listed below. This structure can further enhance these penalties to deter non-compliance:

- First Violation: $1,000 fine
- Second Violation (within 36 months): $2,000 fine and a 3-day suspension of the license
- Third Violation (within 36 months): $2,000 fine and a 7-day suspension of the license
- Fourth Violation: Revocation of the tobacco license

End the Sale of Commercial Tobacco Products

A Nicotine-Free Generation (NFG) policy sets a date, and anyone born after that date can never be legally sold commercial tobacco & nicotine products. NFG is about sales, not purchase, use or possession. The act of smoking is never criminalized, and the enforcement is on sellers, not buyers. This policy: 1) Focuses on prevention for the next generation; 2) Allows access to tobacco for all existing adult tobacco users; 3) Gives retailers time to adjust, as the market only declines marginally each year; 4) De-normalizes nicotine use as the number of users decreases; and,5) Widens the gap between children and those who can be legally sold tobacco as the minimum age for sales increases.

An NFG policy is a good option for communities who have already taken significant steps to address the harms of commercial tobacco. Learn more about NFG.

Require Smoking Policy Disclosure in Multi-Unit Housing

There is no safe level of exposure to secondhand smoke. Renters who live in multi-unit housing are disproportionately impacted by secondhand smoke that easily travels from one unit to another. Like the federally mandated lead paint disclosure, requiring property owners and managers to disclose whether smoking is or is not allowed in their building before a renter signs the lease. This empowers renters to make educated decisions about their housing and health. For more information, here is a fact sheet about smoking disclosure in multi-unit housing from the Public Health Law Center: Disclosure of Smoking Policies in Multi-Unit Housing

Prohibit Smoking/Vaping in Multi-Unit Housing

Despite policy advances that protect the public in workplaces, restaurants, and parks, tens of thousands of Minnesotans remain unprotected from harmful second and thirdhand smoke where they spend the most time: at home.

In Plymouth, at least 35 multi-unit housing properties have smoke-free policies. However, many remain unprotected, including low income and racially and ethnically diverse communities who disproportionately live in multi-unit housing.

A smoke-free housing ordinance is a citywide requirement that prohibits smoking in some or all multi-unit properties located within the city. If implemented thoughtfully a smoke-free housing ordinance can be a powerful policy tool to protect multi-unit housing residents, guests, and staff from harmful second and thirdhand smoke exposure.

As of July 1, 101 municipalities in the United States have enacted a law at the city or county level that regulates smoking in private units of multi-unit housing properties.

This factsheet from the Live Smoke Free program provides additional information: Smoke-Free Housing Ordinances for Minnesota Multi-Unit Housing

Contact

Jackie Siewert
Principal Planning Analyst
Hennepin County Public Health
612-543-0402
jacquelyn.siewert@hennepin.us
Hennepin.us

Emily Anderson
Director of Policy
Association for Nonsmokers – Minnesota
651-646-3005
emily@ansrmn.org
ansrmn.org

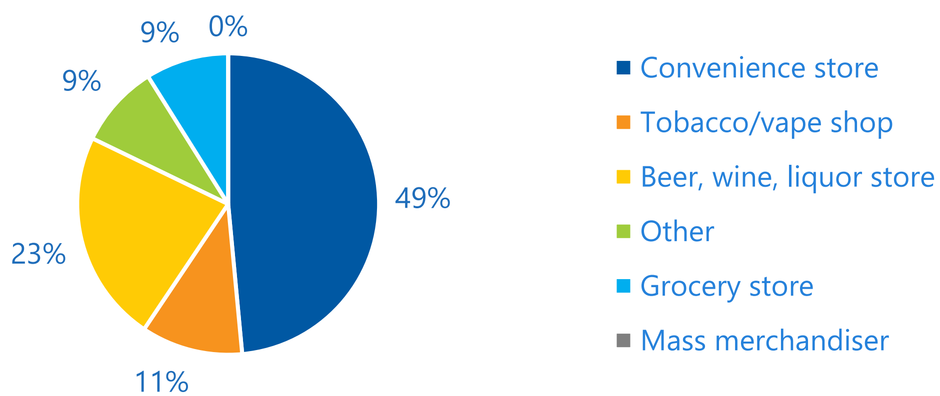
HENNEPIN COUNTY
PUBLIC HEALTH

Retailer characteristics Plymouth

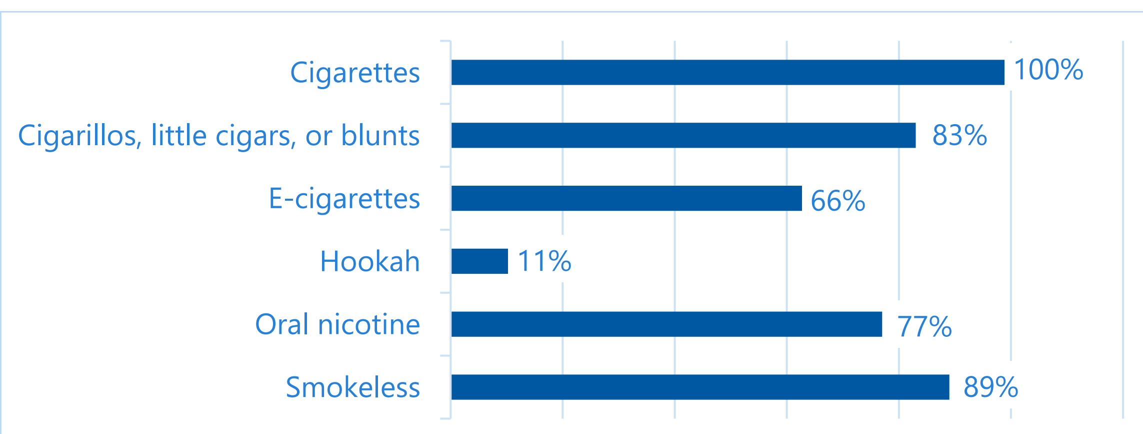
Many commercial tobacco retailers sell a variety of product types and display advertisements both inside and outside of their stores. Exposure to commercial tobacco advertising and marketing is associated with increased use, including youth initiation [1, 2]. Licensing and zoning are two of the most lasting strategies to impact the density, type and location of commercial tobacco retailers. Retailer density reduction strategies, such as capping the total number of retailers or requiring a minimum distance to schools, will have different impacts in different communities. Of the 35 retailers assessed, 57% had exterior tobacco advertising.

Plymouth assessed 35 retailers

Types of retailers assessed



Percent of retailers selling commercial tobacco products

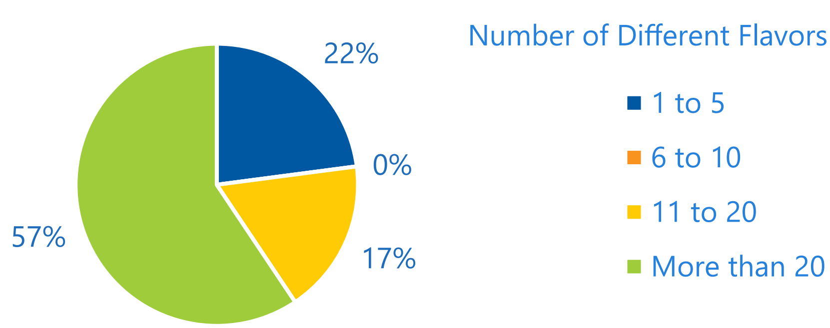


Flavors and menthol Plymouth

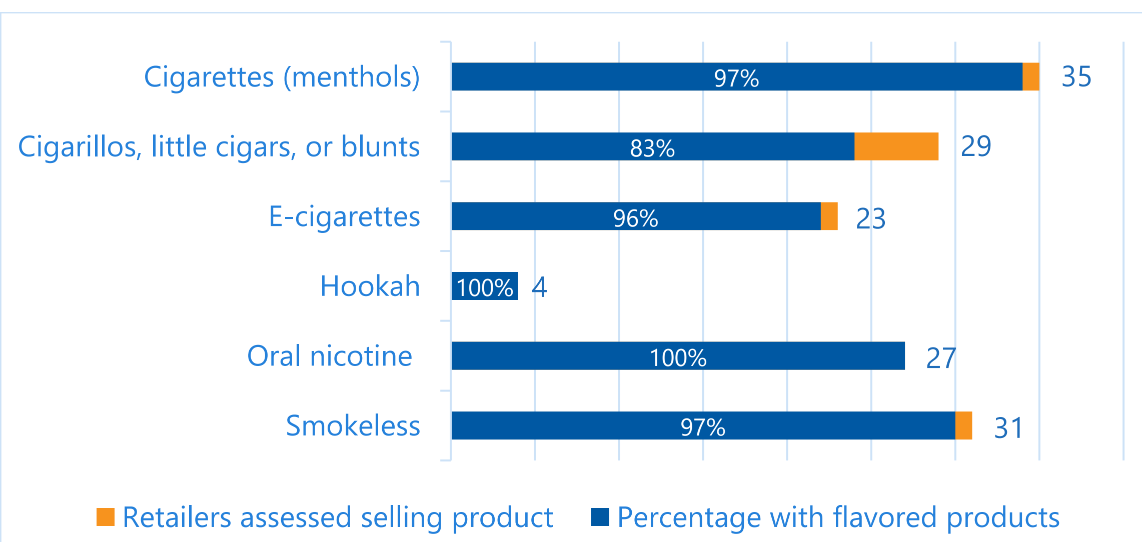
Many commercial tobacco products are available in a variety of flavors, such as sweet, fruit, candy, mint, or menthol flavors as well as other foods, beverages, spices, and herbs. Flavored products are more appealing to youth [3] and play a significant role in youth initiation [4]. In 2023, 76% of Minnesota teens reported that the first commercial tobacco product they ever tried was flavored [5]. Tobacco companies have targeted menthol marketing to African Americans and other marginalized groups across the country for decades, contributing to disparities in commercial tobacco product use and subsequent harm. Jurisdictions can prohibit where flavored products can be sold by store type (e.g., only in age-restricted stores), store location (e.g., not at stores near schools), or prohibit only certain flavored products (e.g., only flavored cigars, only flavored e-cigarettes). However, comprehensive restrictions that prohibit the sale of all flavored products without exemption is the gold standard.

Plymouth assessed 35 retailers

Percent of retailers selling different e-cigarette flavors



Percent of retailers with flavored products



Price and promotions Plymouth

Increasing the price of cigarettes and other commercial tobacco products is one of the most effective ways to reduce consumption and initiation and increase smoking cessation [6-9]. For every 10% increase in the price of cigarettes, adult smoking decreases by 3-5%, and youth smoking decreases by 6-7% [10]. The tobacco industry uses price promotions such as multi-pack offers, discounts, and coupons to significantly decrease the cost of commercial tobacco products. Localities can establish minimum floor prices in order to encourage price sensitive users to quit. Minimum price laws can be strengthened by pairing them with minimum pack size requirements and restricting coupons or discounts.

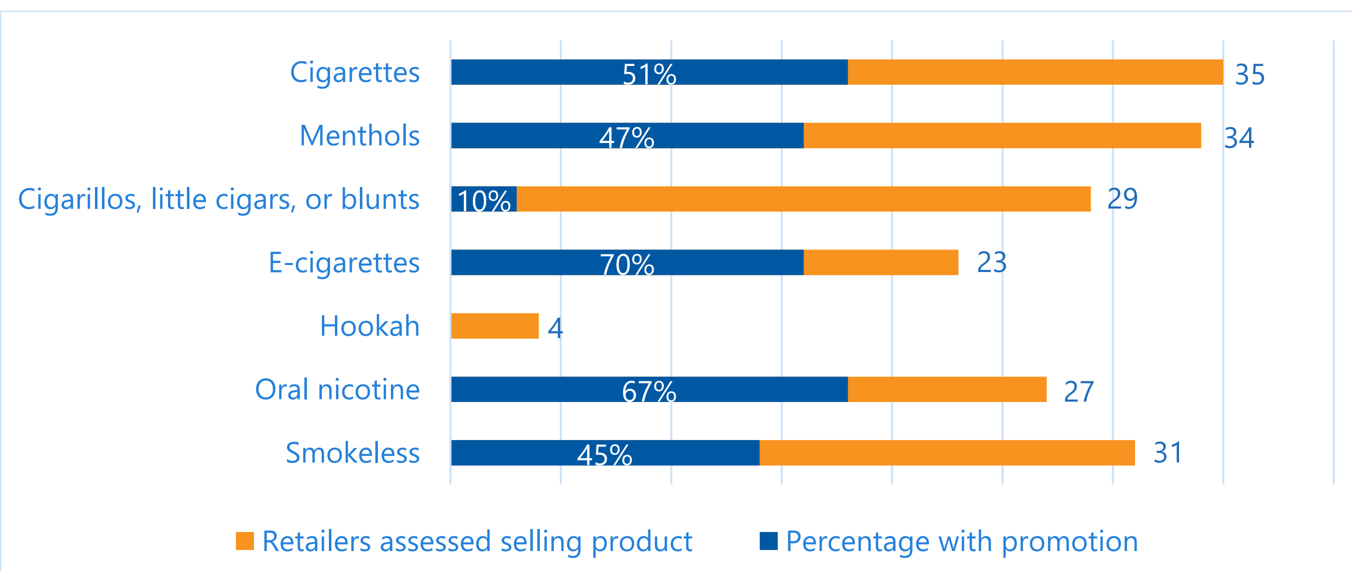
Plymouth assessed 35 retailers

Average cheapest advertised price

$10.53
Cigarettes

$11.84
Single Disposable E-cigs

Percent of retailers with price promotions



Youth appeal Plymouth

The commercial tobacco industry relies on recruiting youth to replace the 480,000 people in the United States who die each year due to the use of their products [9, 10]. While the 3598 Master Settlement Agreement prohibits tobacco companies from directly targeting youth with mascots like Joe Camel [11], their products are still designed and marketed in ways that are appealing to kids. The tobacco industry sells products in sweet, candy-like flavors and at cheap prices; markets products in kids' direct line of sight; and places tobacco products where youth can easily reach. States and localities can implement regulations that restrict the sale of flavored products or prohibit the use of coupons or discounts. Licensing and zoning laws can also reduce availability of products that appeal to youth by restricting retailer locations.

Plymouth assessed 35 retailers

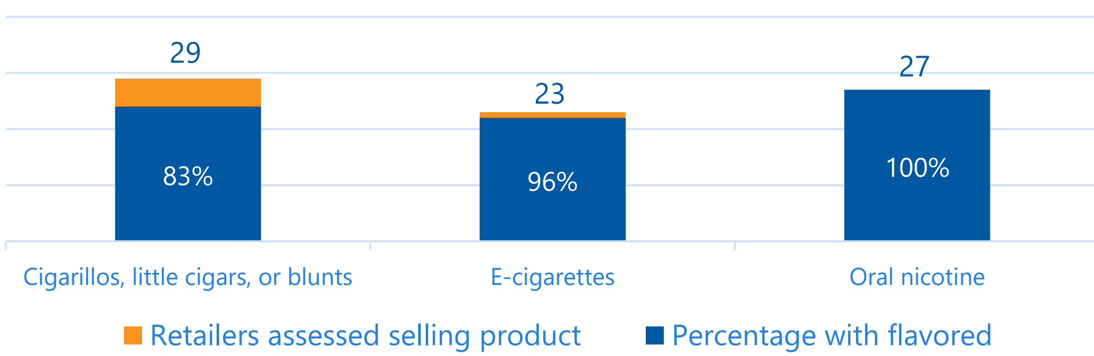
Percentage of retailers appealing to youth

49%
ads within 3 ft of the floor

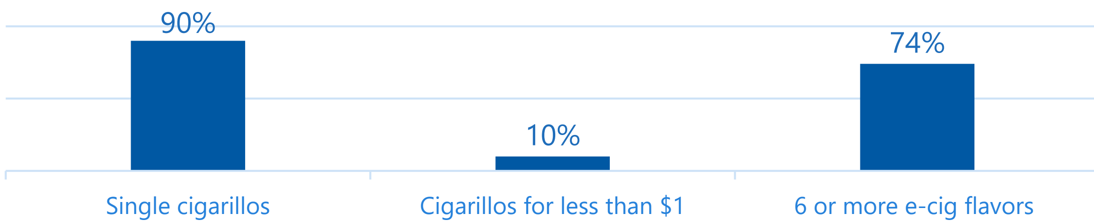
34%
near youth-oriented products

0%
any e-cig self-service displays

Percentage of retailers with flavored products



Percentage of retailers selling



Retailer characteristics

Types of retailers assessed

- 49% of the retailers assessed in Plymouth were identified as convenience store, with or without gas.
- 11% of the retailers assessed in Plymouth were identified as tobacco/vape shop.
- 23% of the retailers assessed in Plymouth were identified as beer, wine, liquor store.
- 9% of the retailers assessed in Plymouth were identified as grocery store.
- 0% of the retailers assessed in Plymouth were identified as mass merchandiser.
- 9% of the retailers assessed in Plymouth were identified as other store types.

Percent of retailers selling commercial tobacco products

- 100% of retailers in Plymouth sold cigarettes.
- 83% of retailers in Plymouth sold cigarillos, little cigars or blunts.
- 66% of retailers in Plymouth sold e-cigarettes.
- 11% of retailers in Plymouth sold hookah.
- 77% of retailers in Plymouth sold oral nicotine.
- 89% of retailers in Plymouth sold smokeless tobacco.

Flavors and menthol

Percent of retailers selling different e-cigarette flavors

- Among the retailers selling e-cigarettes in Plymouth, 22% of retailers sell 1-5 different flavors.
- Among the retailers selling e-cigarettes in Plymouth, 0% of retailers sell 6-10 different flavors.
- Among the retailers selling e-cigarettes in Plymouth, 17% of retailers sell 11-20 different flavors.
- Among the retailers selling e-cigarettes in Plymouth, 57% of retailers sell 20 or more different flavors.

Percent of retailers with flavored products

- Among the 35 retailers selling cigarettes in Plymouth, 97% sold menthols.
- Among the 29 retailers selling cigarillos, little cigars or blunts in Plymouth, 83% sold a flavored version.
- Among the 23 retailers selling e-cigarettes in Plymouth, 96% sold a flavored version.
- Among the 4 retailers selling hookah in Plymouth, 100% sold a flavored version.
- Among the 27 retailers selling oral nicotine in Plymouth, 100% sold a flavored version.
- Among the 31 retailers selling smokeless tobacco in Plymouth, 97% sold a flavored version.

Price and promotions

Average cheapest advertised price

- The average cheapest advertised price for a single pack of cigarettes in Plymouth was $10.53.
- The average cheapest advertised price for single disposable e-cigarettes in Plymouth was $11.84.

Percent of retailers with price promotions

- Among the 35 retailers selling cigarettes in Plymouth, 51% had a price promotion.
- Among the 34 retailers selling menthol cigarettes in Plymouth, 47% had a price promotion.
- Among the 29 retailers selling cigarillos, little cigars or blunts in Plymouth, 10% had a price promotion.
- Among the 23 retailers selling e-cigarettes in Plymouth, 70% had a price promotion.
- Among the 4 retailers selling hookah in Plymouth, 0% had a price promotion.
- Among the 27 retailers selling oral nicotine in Plymouth, 67% had a price promotion.
- Among the 31 retailers selling smokeless tobacco in Plymouth, 45% had a price promotion.

Youth appeal

Percentage of retailers appealing to youth

- 49% of the retailers in Plymouth had commercial tobacco advertisements within 3 feet of the floor.
- 34% of the retailers in Plymouth had commercial tobacco products placed near youth-oriented products.
- 0% of the retailers in Plymouth had any e-cigarette self-service displays.

Percentage of retailers with flavored products

- Among the 29 retailers selling cigarillos, little cigars or blunts in Plymouth, 83% sold a flavored version.
- Among the 23 retailers selling e-cigarettes in Plymouth, 96% sold a flavored version.
- Among the 27 retailers selling oral nicotine in Plymouth, 100% sold a flavored version.

Percentage of retailers selling

- Among the retailers selling cigarillos, little cigars or blunts in Plymouth, 90% sold single cigarillos.
- Among the retailers selling cigarillos, little cigars or blunts in Plymouth, 10% sold cigarillos for less than $1.
- Among the retailers selling flavored e-cigarettes in Plymouth, 74% sold 6 or more different flavors.

Methods and citations

Data presentation details

- Possible store types: Beer, wine, liquor stores, convenience stores (with or without gas), grocery stores, mass merchandisers (i.e., Walmart, Dollar General), tobacco/vape shops, and other includes bar or restaurants, drug store or pharmacy, and other store types not included in categories listed.
- Average reported prices reflect those of retailers both selling and reporting the price of said product.
- The presence of tobacco products within 3 feet of the floor is operationalized as kid's eye-level.
- "Youth-oriented products" include products such as candy, gum, toys, stuffed animals, etc.
- Flavored products may include flavors such as peach, grape, cherry, mint, menthol, wintergreen, etc.
- Self-service displays refer to e-cigarette products that are openly displayed or stored in a manner that is physically accessible to the purchaser without needing the assistance of the store clerk/ employee (e.g., open or unlocked racks, shelves, counter-top displays, vending machines).
- When 0% is indicated on a bar graph, the answer by the surveyor to the assessment question was "No."

Data analysis details

Hennepin County Public Health collected data in December, 2025 and then analyzed data and created data summaries in January 2026. Not all assessment visits collected were considered eligible. The eligibility criteria include all assessment visits where "Can you visit the store?" and "Is tobacco sold here?" is "Yes." All available store data rather than only complete store data was utilized in the analysis; therefore, the total number of assessments summarized for each assessment variable may vary depending on the amount of data that was available (or missing) for the particular assessment variable.

Citations

[1] Henriksen L, Feighery EC, Schleicher NC, Cowling DW, Kline RS, Fortmann SP. Is adolescent smoking related to the density and proximity of tobacco outlets and retail cigarette advertising near schools? Preventive Medicine. 2008;47(2):210-214. doi: https://doi.org/10.1016/j.ypmed.2008.04.008

[2] Chuang YC, Cubbin C, Ahn D, Winkleby MA. Effects of neighbourhood socioeconomic status and convenience store concentration on individual level smoking. J Epidemiol Community Health. 2005;59(7):568-573. doi:10.1136/jech.2004.029041

[3] National Cancer Institute. The Role of the Media in Promoting and Reducing Tobacco Use. Tobacco Control Monograph No. 35. Bethesda, MD: U.S. Department of Health and Human Services, National Institutes of Health, National Cancer Institute. NIH Pub. No. 07-6242, June 2008. https://cancercontrol.cancer.gov/brp/tcrb/monographs/35/m35_complete.pdf

[4] U.S. Department of Health and Human Services. Preventing Tobacco Use Among Youth and Young Adults: A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2012. https://www.ncbi.nlm.nih.gov/books/NBK99235/pdf/Bookshelf_NBK99235.pdf

[5] Minnesota Department of Health. Data Highlights from the 2023 Minnesota Youth Tobacco Survey. Accessed July 11, 2024, https://www.health.state.mn.us/data/mchs/surveys/tobacco/docs/teenscommercialtobacco2023.pdf
[6] Brown-Johnson CG, England LJ, Glantz SA, Ling PM. Tobacco industry marketing to low socioeconomic status women in the
U.S.A. Tob Control. 2014;23(e2):e139-e146. doi:10.1136/tobaccocontrol-2013-051224
[7] Truth Tobacco Industry Documents. The importance of younger adults. RJ Reynolds Records. https://www.industrydocumentslibrary.ucsf.edu/tobacco/docs/jzyl0056
[8] U.S. Department of Health and Human Services. The Health Consequences of Smoking: 50 Years of Progress. A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2014. http://www.surgeongeneral.gov/library/reports/50-years-of-progress/full-report.pdf
[9] Public Health Law Center. The Master Settlement Agreement: An Overview. http://www.publichealthlawcenter.org/sites/default/files/resources/tclc-fs-msa-overview-2015.pdf
[10] Villanti AC, Richardson A, Vallone DM, Rath JM. Flavored tobacco product use among U.S. young adults. Am J Prev Med. 2013;44(4):388-391. doi:10.1016/j.amepre.2012.11.031
[11] Ambrose BK, Day HR, Rostron B, et al. Flavored Tobacco Product Use Among US Youth Aged 12-0 Years, 2013-2014. JAMA .2015;314(0):071-073. doi:10.1001/jama.2015.13802

Throughout these documents, any mention of tobacco in refers to commercial tobacco products, not ceremonial or traditional tobacco used by indigenous populations for cultural practices.

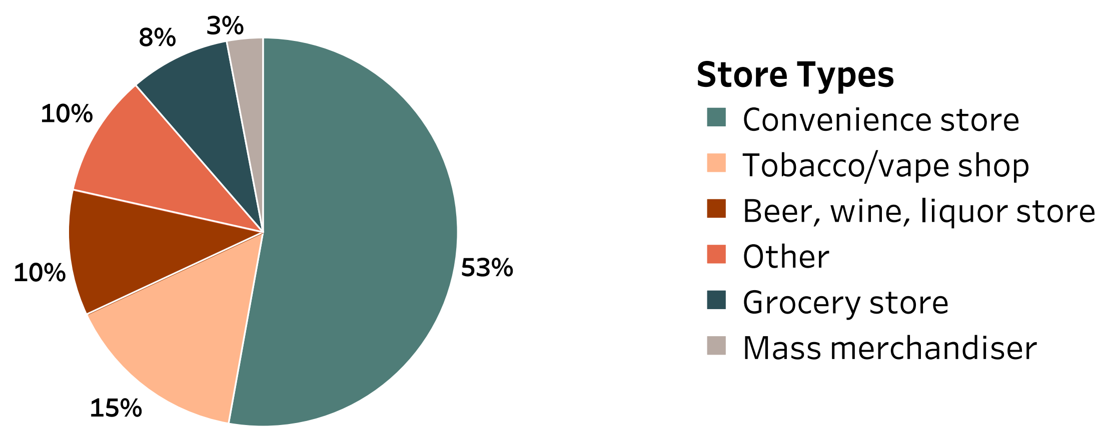
Hennepin County Public Health
525 Portland Avenue, Minneapolis, MN 55415
612-348-8900 | publichealth@hennepin.us

Retailer Characteristics
Hennepin County

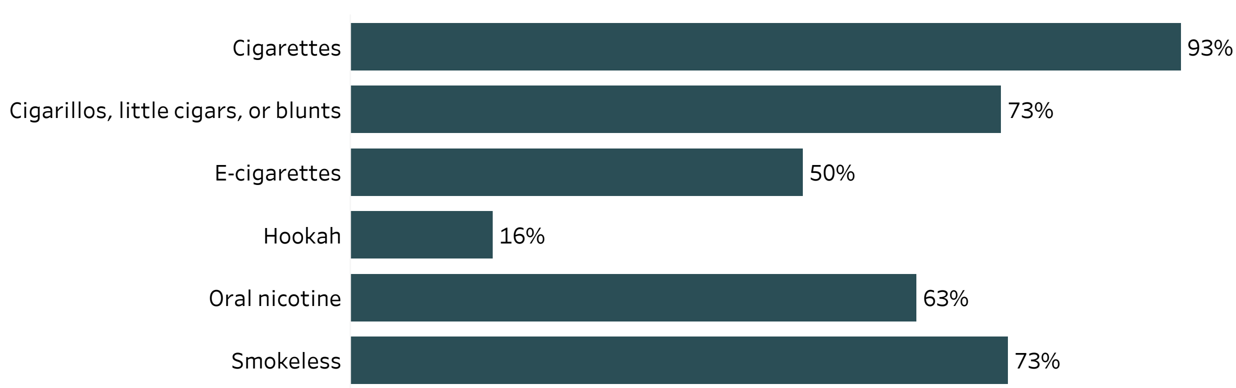
Many commercial tobacco retailers sell a variety of product types and display advertisements both inside and outside of their stores. Exposure to commercial tobacco advertising and marketing is associated with increased use, including youth initiation [1, 2]. Licensing and zoning are two of the most lasting strategies to impact the density, type and location of commercial tobacco retailers. Retailer density reduction strategies, such as capping the total number of retailers or requiring a minimum distance to schools, will have different impacts in different communities. Of the 335 retailers assessed, 39% had exterior tobacco advertising.

Hennepin County assessed 335 retailers

Types of Retailers Assessed



Percent of Retailers Selling Commercial Tobacco Products

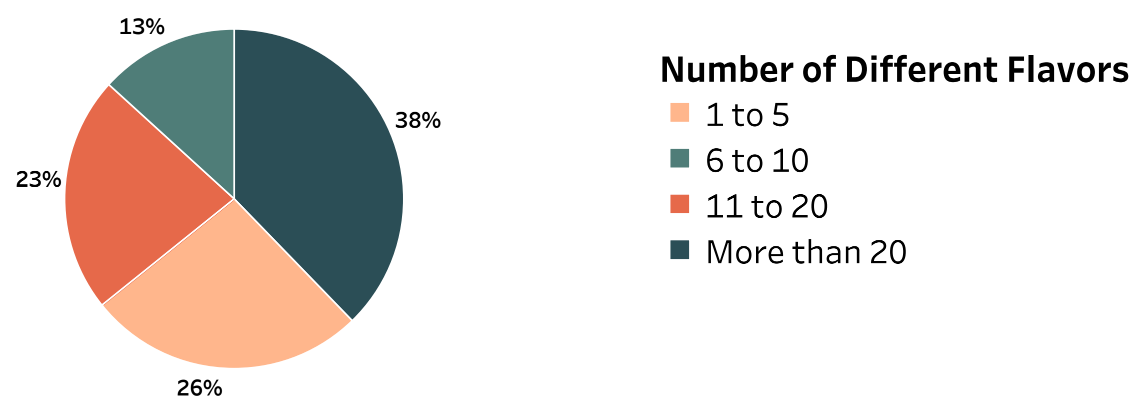


Flavors & Menthol
Hennepin County

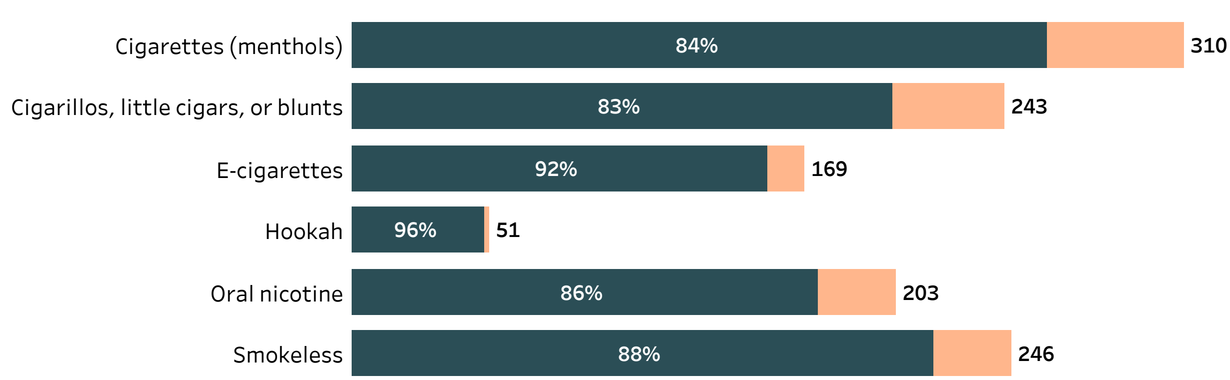
Many commercial tobacco products are available in a variety of flavors, such as sweet, fruit, candy, mint, or menthol flavors as well as other foods, beverages, spices, and herbs. Flavored products are more appealing to youth [3] and play a significant role in youth initiation [4]. In 2023, 76% of Minnesota teens reported that the first commercial tobacco product they ever tried was flavored [5]. Tobacco companies have targeted menthol marketing to African Americans and other marginalized groups across the country for decades, contributing to disparities in commercial tobacco product use and subsequent harm. Jurisdictions can prohibit where flavored products can be sold by store type (e.g. only in age-restricted stores), store location (e.g. not at stores near schools), or prohibit only certain flavored products (e.g. only flavored cigars, only flavored e-cigarettes). However, comprehensive restrictions that prohibit the sale of all flavored products without exemption is the gold standard.

Hennepin County assessed 335 retailers

Percent of Retailers Selling Different E-cigarette Flavors



Percent of Retailers with Flavored Products



COUNTER TOOLS

DEPARTMENT OF HEALTH

Price & Promotions
Hennepin County

Increasing the price of cigarettes and other commercial tobacco products is one of the most effective ways to reduce consumption and initiation and increase smoking cessation [6-9]. For every 10% increase in the price of cigarettes, adult smoking decreases by 3-5%, and youth smoking decreases by 6-7% [10]. The tobacco industry uses price promotions such as multi-pack offers, discounts, and coupons to significantly decrease the cost of commercial tobacco products. Localities can establish minimum floor prices in order to encourage price sensitive users to quit. Minimum price laws can be strengthened by pairing them with minimum pack size requirements and restricting coupons or discounts.

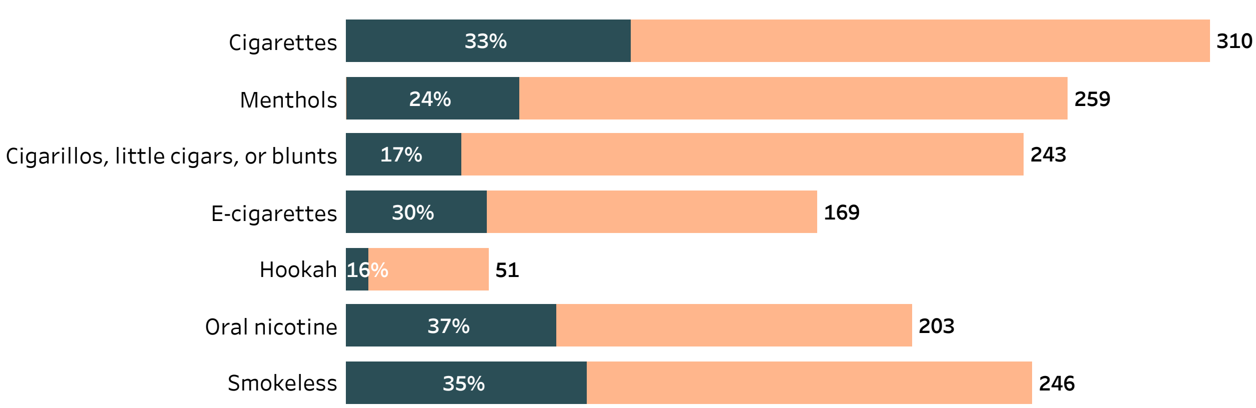
Hennepin County assessed 335 retailers

Average Cheapest Advertised Price

$10.96
Cigarettes

$15.41
Single Disposable E-cigs

Percent of Retailers with Price Promotions



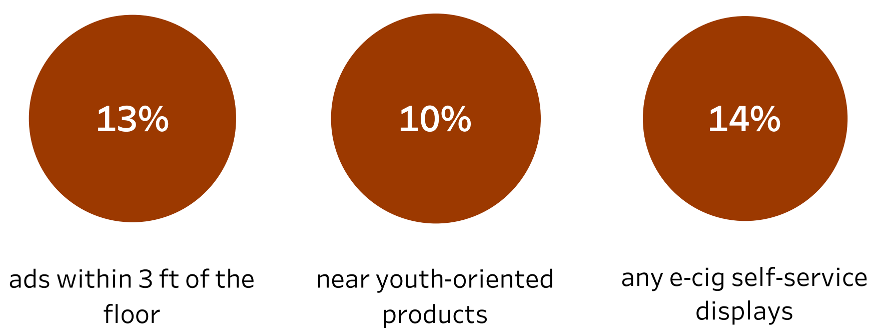
Percentage with promotion
Retailers assessed selling product

Youth Appeal
Hennepin County

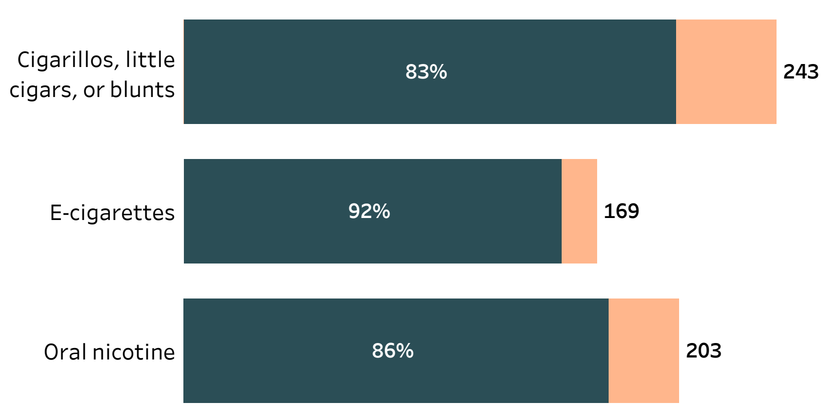
The commercial tobacco industry relies on recruiting youth to replace the 480,000 people in the US who die each year due to the use of their products [9, 10]. While the 1998 Master Settlement Agreement prohibits tobacco companies from directly targeting youth with mascots like Joe Camel [11], their products are still designed and marketed in ways that are appealing to kids. The tobacco industry sells products in sweet, candy-like flavors and at cheap prices; markets products in kids' direct line of sight; and places tobacco products where youth can easily reach. States and localities can implement regulations that restrict the sale of flavored products or prohibit the use of coupons or discounts. Licensing and zoning laws can also reduce availability of products that appeal to youth by restricting retailer locations.

Hennepin County assessed 335 retailers

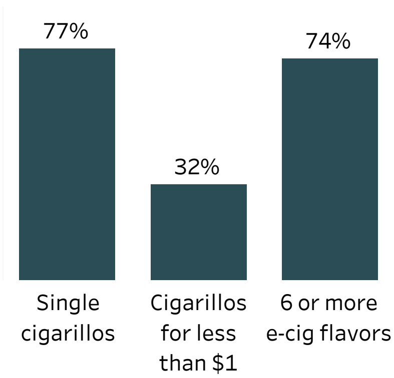
Percentage of Retailers Appealing to Youth



Percentage of Retailers with Flavored Products



Percentage of Retailers Selling



Percentage with flavored
Retailers assessed selling product

Retailer Characteristics

Types of Retailers Assessed

53% of the retailers assessed in Hennepin County were identified as convenience store with or without gas.
15% of the retailers assessed in Hennepin County were identified as tobacco/vape shop.
10% of the retailers assessed in Hennepin County were identified as beer, wine, liquor store.
8% of the retailers assessed in Hennepin County were identified as grocery store.
3% of the retailers assessed in Hennepin County were identified as mass merchandiser.
10% of the retailers assessed in Hennepin County were identified as other store types.

Percent of Retailers Selling Commercial Tobacco Products

93% of retailers in Hennepin County sold cigarettes.
73% of retailers in Hennepin County sold cigarillos, little cigars or blunts.
50% of retailers in Hennepin County sold e-cigarettes.
16% of retailers in Hennepin County sold hookah.
63% of retailers in Hennepin County sold oral nicotine.
73% of retailers in Hennepin County sold smokeless tobacco.

Flavors & Menthol

Percent of Retailers Selling Different E-cigarette Flavors

Among the retailers selling e-cigarettes in Hennepin County, 26% of retailers sell 1-5 different flavors.
Among the retailers selling e-cigarettes in Hennepin County, 13% of retailers sell 6-10 different flavors.
Among the retailers selling e-cigarettes in Hennepin County, 23% of retailers sell 11-20 different flavors.
Among the retailers selling e-cigarettes in Hennepin County, 38% of retailers sell 20 or more different flavors.

Percent of Retailers with Flavored Products

Among the 310 retailers selling cigarettes in Hennepin County, 84% sold menthols.
Among the 243 retailers selling cigarillos, little cigars or blunts in Hennepin County, 83% sold a flavored version.
Among the 169 retailers selling e-cigarettes in Hennepin County, 92% sold a flavored version.
Among the 51 retailers selling hookah in Hennepin County, 96% sold a flavored version.
Among the 203 retailers selling oral nicotine in Hennepin County, 86% sold a flavored version.
Among the 246 retailers selling smokeless tobacco in Hennepin County, 88% sold a flavored version.

COUNTER TOOLS DEPARTMENT OF HEALTH

Price & Promotions

Average Cheapest Advertised Price

The average cheapest advertised price for a single pack of cigarettes in Hennepin County was $10.96.
The average cheapest advertised price for single disposable e-cigarettes in Hennepin County was $15.41.

Percent of Retailers with Price Promotions

Among the 310 retailers selling cigarettes in Hennepin County, 33% had a price promotion.
Among the 259 retailers selling menthol cigarettes in Hennepin County, 24% had a price promotion.
Among the 243 retailers selling cigarillos, little cigars or blunts in Hennepin County, 17% had a price promotion.
Among the 169 retailers selling e-cigarettes in Hennepin County, 30% had a price promotion.
Among the 51 retailers selling hookah in Hennepin County, 16% had a price promotion.
Among the 203 retailers selling oral nicotine in Hennepin County, 37% had a price promotion.
Among the 246 retailers selling smokeless tobacco in Hennepin County, 35% had a price promotion.

Youth Appeal

Percentage of Retailers Appealing to Youth

13% of the retailers in Hennepin County had commercial tobacco advertisements within 3 feet of the floor.
10% of the retailers in Hennepin County had commercial tobacco products placed near youth-oriented products.
14% of the retailers in Hennepin County had any e-cigarette self-service displays.

Percentage of Retailers with Flavored Products

Among the 243 retailers selling cigarillos, little cigars or blunts in Hennepin County, 83% sold a flavored version.
Among the 169 retailers selling e-cigarettes in Hennepin County, 92% sold a flavored version.
Among the 203 retailers selling oral nicotine in Hennepin County, 86% sold a flavored version.

Percentage of Retailers Selling

Among the retailers selling cigarillos, little cigars or blunts in Hennepin County, 77% sold single cigarillos.
Among the retailers selling cigarillos, little cigars or blunts in Hennepin County, 32% sold cigarillos for less than $1.
Among the retailers selling flavored e-cigarettes in Hennepin County, 74% sold 6 or more different flavors.

Methods & Citations

Data presentation details

• Possible store types: Beer, wine, liquor stores, convenience stores (with or without gas), grocery stores, mass merchandisers (i.e., Walmart, Dollar General), tobacco/vape shops, and other includes bar or restaurants, drug store or pharmacy, and other store types not included in categories listed.
• Average reported prices reflect those of retailers both selling and reporting the price of said product.
• The presence of tobacco products within 3 feet of the floor is operationalized as kid's eye-level.
• "Youth-oriented products" include products such as candy, gum, toys, stuffed animals, etc.
• Flavored products may include flavors such as peach, grape, cherry, mint, menthol, wintergreen, etc.
• Self-service displays refer to e-cigarette products that are openly displayed or stored in a manner that is physically accessible to the purchaser without needing the assistance of the store clerk/ employee (e.g., open or unlocked racks, shelves, counter-top displays, vending machines).
• When 0% is indicated on a bar graph, the answer by the surveryor to the assessment question was "No".

Data analysis details

Data was collected between March - June 2024. Counter Tools analyzed data and created data summaries in July 2024 using Tableau. Not all assessment visits collected were considered eligible. The eligibility criteria includes all assessment visits where "Can you visit the store?" and "Is tobacco sold here?" is "Yes". All **available** store data rather than only complete store data was utilized in the analysis; therefore, the total number of assessments summarized for each assessment variable may vary depending on the amount of data that was available (or missing) for the particular assessment variable.

Citations

[1] Henriksen L, Feighery EC, Schleicher NC, Cowling DW, Kline RS, Fortmann SP. Is adolescent smoking related to the density and proximity of tobacco outlets and retail cigarette advertising near schools? Preventive Medicine . 2008;47(2):210-214. doi:https://doi.org/10.1016/j.ypmed.2008.04.008
[2] Chuang YC, Cubbin C, Ahn D, Winkleby MA. Effects of neighbourhood socioeconomic status and convenience store concentration on individual level smoking. J Epidemiol Community Health . 2005;59(7):568-573. doi:10.1136/jech.2004.029041
[3] National Cancer Institute. The Role of the Media in Promoting and Reducing Tobacco Use. Tobacco Control Monograph No. 19. Bethesda, MD: U.S. Department of Health and Human Services, National Institutes of Health, National Cancer Institute. NIH Pub. No. 07-6242, June 2008. https://cancercontrol.cancer.gov/brp/tcrb/monographs/19/m19_complete.pdf
[4] U.S. Department of Health and Human Services. Preventing Tobacco Use Among Youth and Young Adults: A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2012. https://www.ncbi.nlm.nih.gov/books/NBK99237/pdf/Bookshelf_NBK99237.pdf
[5] Minnesota Department of Health. Data Highlights from the 2023 Minnesota Youth Tobacco Survey. Accessed July 11, 2024, https://www.health.state.mn.us/data/mchs/surveys/tobacco/docs/teenscommercialtobacco2023.pdf
[6] Brown-Johnson CG, England LJ, Glantz SA, Ling PM. Tobacco industry marketing to low socioeconomic status women in the U.S.A. Tob Control . 2014;23(e2):e139-e146. doi:10.1136/tobaccocontrol-2013-051224
[7] Truth Tobacco Industry Documents. The importance of younger adults. RJ Reynolds Records . https://www.industrydocumentslibrary.ucsf.edu/tobacco/docs/jzyl0056
[8] U.S. Department of Health and Human Services. The Health Consequences of Smoking: 50 Years of Progress. A Report of the Surgeon General . Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2014. http://www.surgeongeneral.gov/library/reports/50-years-of-progress/full-report.pdf
[9] Public Health Law Center. The Master Settlement Agreement: An Overview . http://www.publichealthlawcenter.org/sites/default/files/resources/tclc-fs-msa-overview-2015.pdf
[10] Villanti AC, Richardson A, Vallone DM, Rath JM. Flavored tobacco product use among U.S. young adults. Am J Prev Med . 2013;44(4):388-391. doi:10.1016/j.amepre.2012.11.031
[11] Ambrose BK, Day HR, Rostron B, et al. Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014. JAMA . 2015;314(17):1871-1873. doi:10.1001/jama.2015.13802

Throughout these documents, any mention of tobacco in refers to commercial tobacco products, not ceremonial or traditional tobacco used by indigenous populations for cultural practices.

Association for Nonsmokers-MN
www.ansrmn.org

Reducing the Number of Tobacco Licenses in Your Community

The "How" and "Why" of reducing the number of stores selling tobacco products in your community.

When more tobacco and e-cigarette retailers are located in a given area, residents' health suffers. Youth are more likely to start using tobacco. People who smoke consume more cigarettes per day and have a harder time quitting. Further, tobacco and e-cigarette retailers cluster in neighborhoods with a high percentage of low-income residents and Black and Latino residents. These communities are targeted by tobacco companies, and they disproportionately suffer the health harms caused by tobacco use.

To decrease the overall presence and impact of commercial tobacco, communities can use their tobacco licensing ordinance to restrict the total number of tobacco licenses that they issue.

There are varied approaches to restricting the number of tobacco licenses, including:

- Setting a cap of zero licenses. When a license is not renewed (for example, if a retailer closes or chooses to stop selling tobacco products), it is permanently retired, effectively reducing the overall number of licenses over time.
- Setting a cap of one or more on the total number of licenses and requiring any prospective tobacco or e-cigarette retailer in excess of the cap to join a waiting list until an existing license becomes available.
- Setting a cap at a specific number of licenses based on population (for example, allowing one tobacco license per 2,000 residents). As with capping a total number of licenses at zero, when a license is not renewed, it is permanently retired until the desired total number of licenses is reached.

- Creating two license categories: one for tobacco-only retailers (stores that derive 90% of their total revenue from tobacco and tobacco related products) and one for stores that sell tobacco as well as other products, including gas stations, convenience stores, grocery stores. Then, setting a separate cap on the total number of each type of license. Any prospective tobacco or e-cigarette retailer in excess of the relevant cap would be required to join a waiting list until an existing license becomes available.

How have Minnesota communities approached capping the number of tobacco licenses?

A number of Minnesota communities have used license capping as a way to address the impact of commercial tobacco. Bloomington, which currently has more than 50 tobacco licenses, set a cap of zero licenses. Through attrition, the city will eventually get down to zero, though this will likely take decades.

Golden Valley capped their licenses at 8. At the time, they had 14 licenses. Through attrition, the city will get down to 8 licenses. They arrived at the number 8 by setting a standard of having one tobacco license per 2500 residents in their community.

Saint Paul created two classifications of licenses to sell tobacco. The total cap on the number of Tobacco Shop licenses is 150, compared to the 190 licenses in operation in St. Paul today. The number of Tobacco Products Shops licenses is capped at 25, compared to the 39 in operation today. St. Paul will reach these license numbers through attrition and new licenses can be given only after they fall below these caps.

Is capping the number of tobacco licenses an effective tobacco prevention strategy?

Yes. The location and density of commercial tobacco-related product retailers influences tobacco-related product use among residents living in those communities. Research shows that youth who live or attend school in neighborhoods with the highest density of tobacco outlets or retail tobacco advertising have higher smoking rates compared to youth who live or attend school in neighborhoods with fewer or no tobacco outlets.[1] Compounding existing health disparities, tobacco retailers are often concentrated in communities at higher risk for adverse health outcomes. Further, tobacco manufacturer spending on advertising, marketing and price is directed at youth and young adults. The majority of smokers start young, youth get tobacco from older peers, and exposure to nicotine is particularly dangerous to the adolescent brain. Therefore, the purpose of this ordinance is

---

[1] Schleicher, N. C., Johnson, T. O., Fortmann, S. P., & Henriksen, L. (2016). Tobacco outlet density near home and school: Associations with smoking and norms among US teens. *Preventive medicine*, *91*, 287–293. https://doi.org/10.1016/j.ypmed.2016.08.027

to reduce the appeal to youth and young adults and reduce the likelihood that youth and young adults will become users of tobacco-related products later in life, thereby promoting health, safety and welfare.

What resources exist for communities looking to cap the number of tobacco licenses they issue?

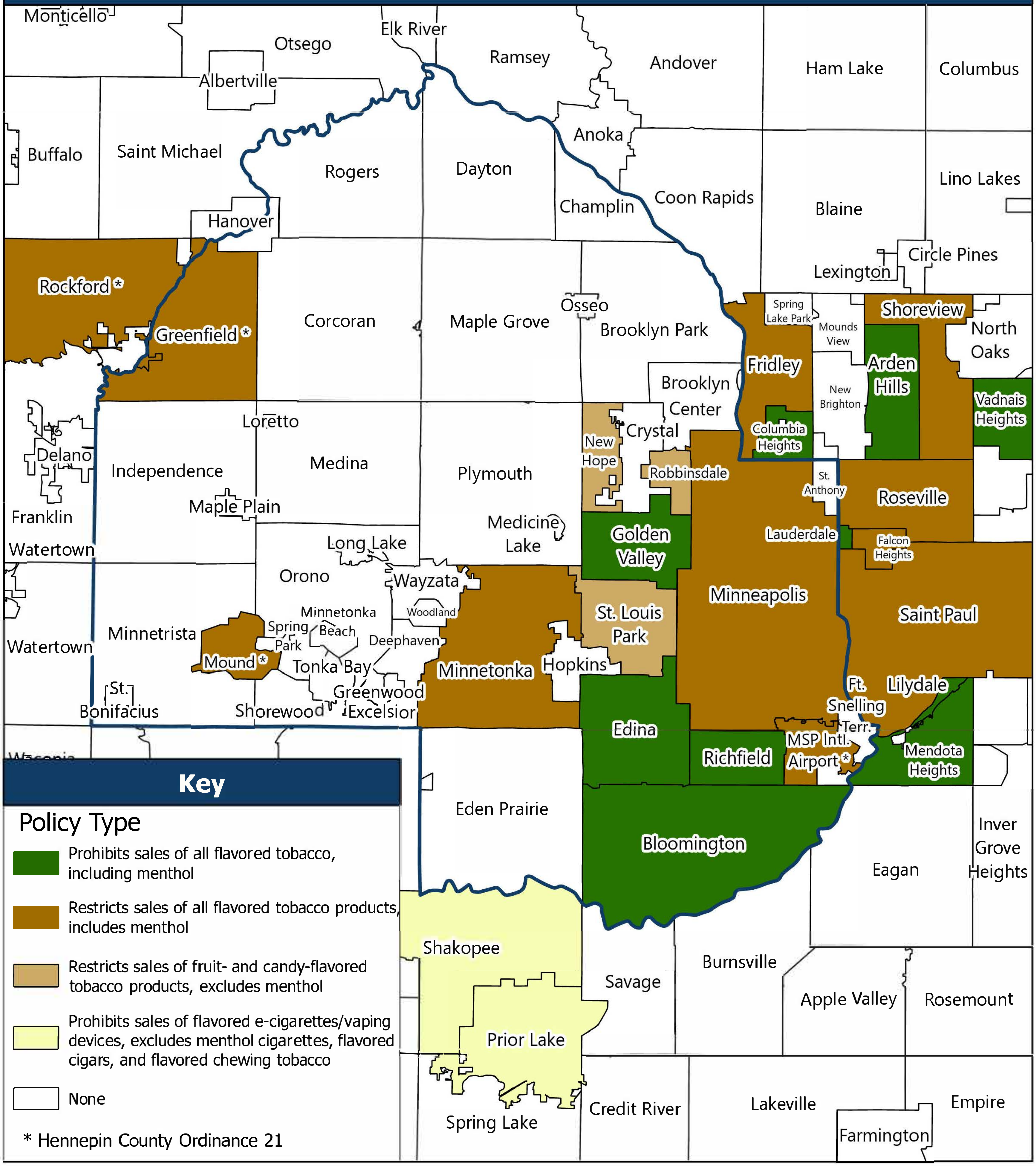
There are several resources available to Minnesota communities, including model ordinance language from the Public Health Law Center. See below for this and other resources:

1. **MINNESOTA CITY RETAIL TOBACCO LICENSING ORDINANCE, Public Health Law Center:** https://publichealthlawcenter.org/sites/default/files/resources/MDH-City-Retail-Ordinance-2020.pdf (See Page 12 for language about license capping)
2. **Location, Location, Location: Tobacco and E-cig sales, Public Health Law Center:** https://publichealthlawcenter.org/sites/default/files/resources/Location-Tobacco-Ecig-Point-Of-Sale-2019.pdf
3. **Tobacco Ordinance FAQ from the City of Bloomington:** https://www.bloomingtonmn.gov/ph/tobacco-ordinances
4. **Counter Tools Policy Solution: LICENSING, ZONING, AND RETAILER DENSITY:** https://countertobacco.org/policy/licensing-and-zoning/
5. **Change Lab Solutions: "Tobacco Retailer Density Place-Based Strategies to Advance Health and Equity":** https://changelabsolutions.org/sites/default/files/CLS-BG214-Tobacco_Retail_Density-Factsheet_FINAL_20190131.pdf (pages 4-5)

Attachment D

Flavored Commercial Tobacco Policy Map

Hennepin County Human Services Public Health



Disclaimer: This map (i) is furnished "AS IS" with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this map.

Publication date: 12/2/2025

Commercial Tobacco in Plymouth

Understanding Harms and Policy Solutions

Jackie Siewert, Hennepin County Public Health
Emily Anderson, Association for Nonsmokers - MN

Agenda

01 Tobacco Industry

What are the impacts on our community?

02 Policy Considerations

What can be done at the local level?

03 State and Federal Updates

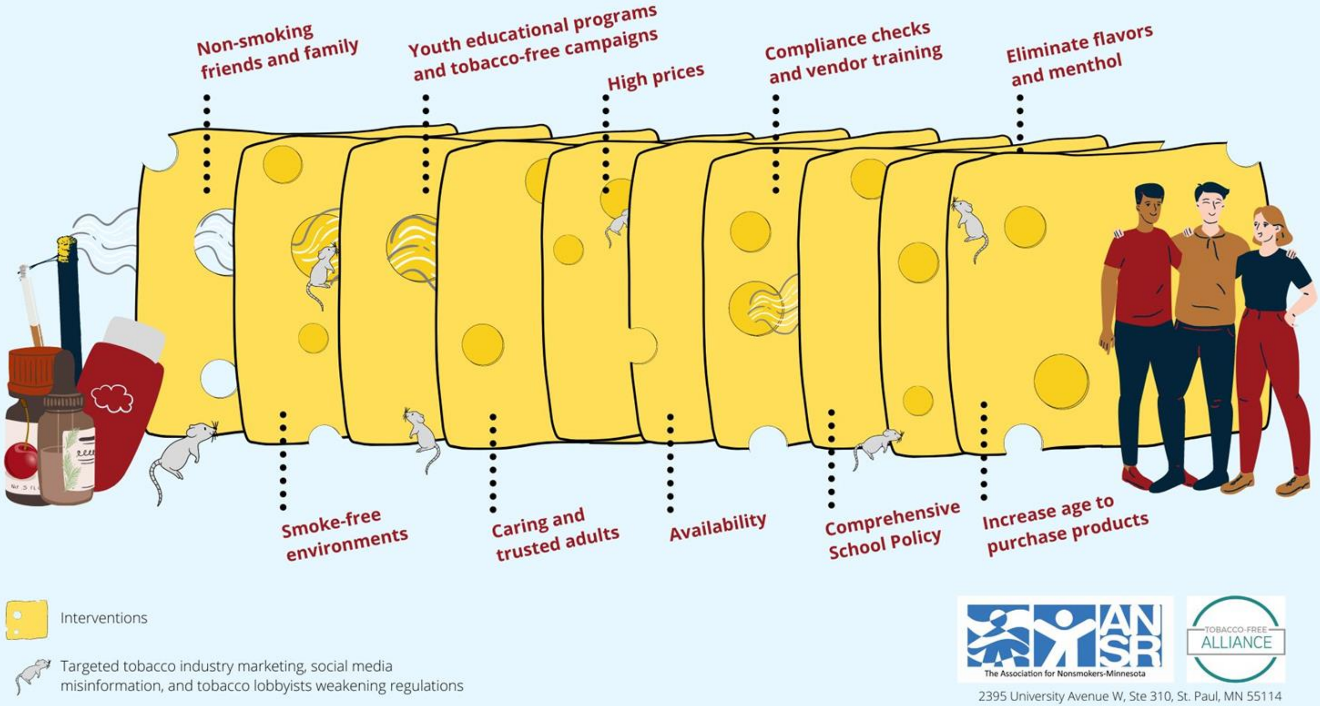
What has already been done?

04 Questions

And Council discussion

SWISS CHEESE MODEL OF COMMERCIAL TOBACCO PREVENTION

Effective commercial tobacco prevention happens when interventions are layered together to create a healthy tobacco-free community.



Source: Adapted from James T. Reason

The Association for Nonsmokers-Minnesota
TOBACCO-FREE ALLIANCE
2395 University Avenue W, Ste 310, St. Paul, MN 55114
651-646-3005 www.ansrmn.org
(February 2021)

Tobacco Industry Targeting

Commercial Tobacco Use is Still a Problem

In Minnesota, one in seven 11th graders uses e-cigarettes, and 90 percent of those students use flavored e-cigarettes.

Commercial tobacco use sets kids up for a lifetime of nicotine addiction and serious health conditions like heart disease and cancer.

The tobacco industry targets Black, LGBTQ+,American Indians and young people and spends more than $100 million a year marketing their products in Minnesota.

All Minnesotans Pay the Price for Commercial Tobacco's Harm

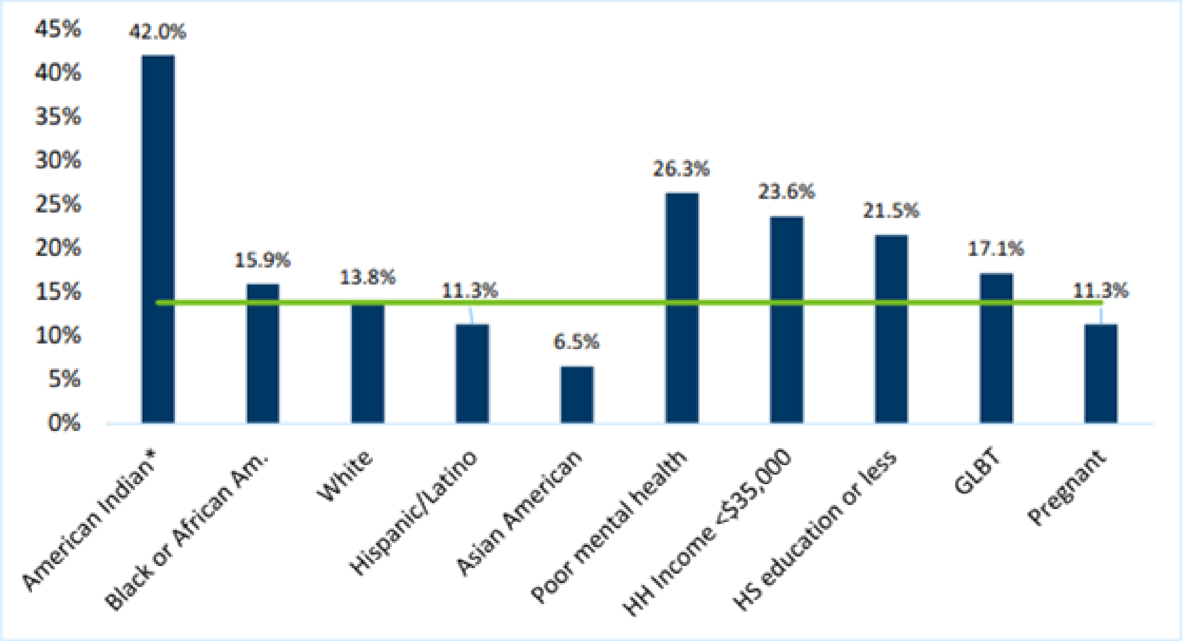
Smoking costs the state over $9 billion a year: more than $4.7 billion in excess health care costs and $4.7 billion in lost productivity.

Commercial tobacco use remains the leading cause of preventable death and disease, taking the lives of more than 6,300 Minnesotans each year.

Every time Big Tobacco addicts another generation of kids to smoking, they put all taxpayers on the hook for billions of dollars in healthcare costs to treat tobacco-related diseases.

Tobacco Industry Targeting Impacts

Current smoking rate among Minnesota subset populations



*Source: BRFSS, 2020; horizontal line represents statewide average of 13.8%. *The smoking rate for American Indians obtained by BRFSS is relatively low compared to results of the Tribal Tobacco Use Project (TTUP) survey from 2013 (59.0%). TTUP is a larger, tribal-specific, statewide survey that is designed to produce a more accurate estimate for American Indians than BRFSS.*

Hennepin County
Commercial Tobacco Profile

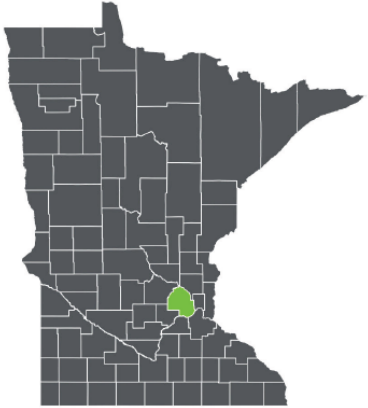
Commercial tobacco's toll in one year

118,025
Adults smoke cigarettes

1 in 6
commercial tobacco-related deaths

$824
per person in excess medical costs

$983
tax burden per household



Population

Youth	268,313
Adults	991,808
Total residents	**1,260,121**

Among retailers assessed in **Hennepin County**

7 in 8	sold flavored commercial tobacco
5 in 6	sold menthol cigarettes
3 in 5	sold e-cigarettes in more than 10 flavors
3 in 4	sold single cigarillos
3 in 7	sold commercial tobacco at discount prices

Sources: Blue Cross and Blue Shield of Minnesota Cost of Smoking Report, MDH Vital Statistics, CDC PLACES: Local Data for Better Health, County Data, Behavioral Risk Factor Surveillance System, Minnesota Student Survey, and U.S. Census Population Estimates

Tobacco Industry Targeting: Flavored Products

Appeal

90% of MN Middle and High School Students who use tobacco products use flavored products.

Source: MN Youth Tobacco Survey, 2023

Tobacco Industry Targeting: Countless Flavors

Appeal

2007
Cig a like

2009
Vape Pen

2012
Mod

2015
Juul – the first Pod Mod

2017
Copycat Pod Mods

2019
Disposable Pod Mods/Vapes

2021
Disposable Synthetic Nicotine Vape

2022
Disposables and high nicotine levels

Tobacco Industry Targeting: Countless Flavors - Current

Appeal

Photo Credit: Association for Nonsmokers-Minnesota

Photo Credit: Association for Nonsmokers-Minnesota

Photo credit: ANSR-MN

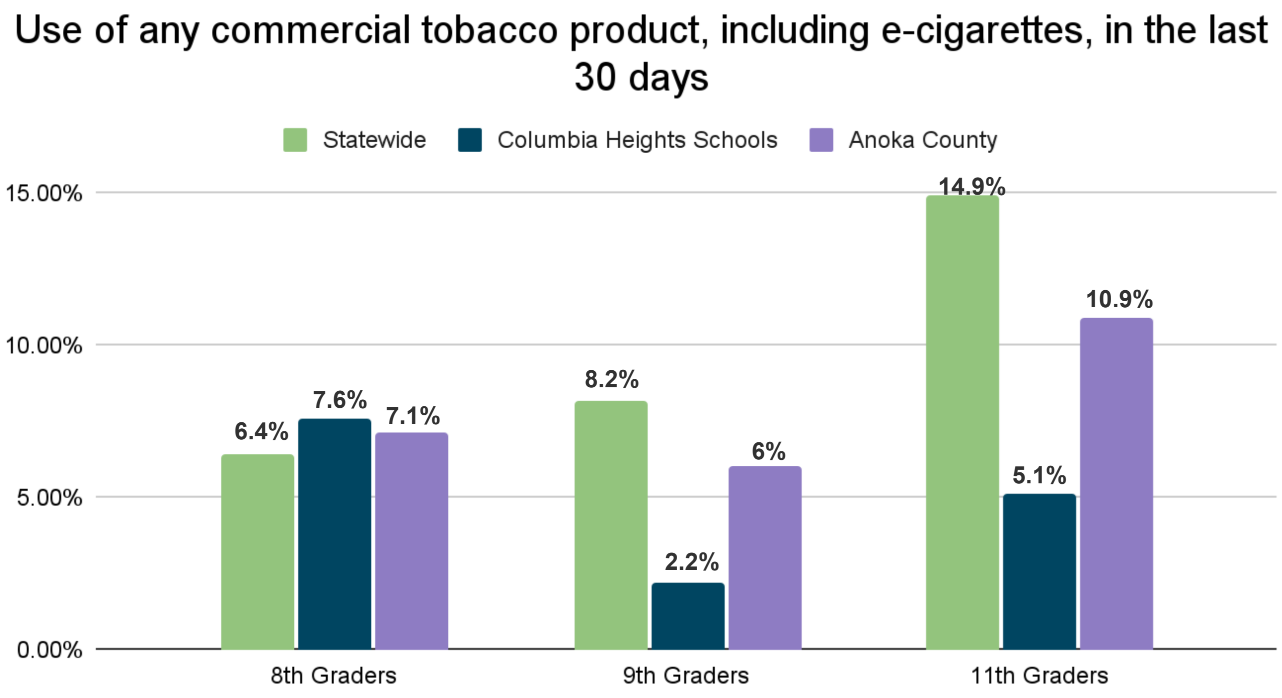
Photo Credit: Association of Non-Smokers Minnesota

Photo Credit: Association for Nonsmokers-Minnesota

Photo Credit: Association for Nonsmokers-Minnesota

Photo Credit: Tobacco-Free Alliance

Minnesota Student Survey Data



Minnesota Student Survey, 2022

"I don't smoke, I just vape…"

Photo Credit: Association for Nonsmokers - Minnesota

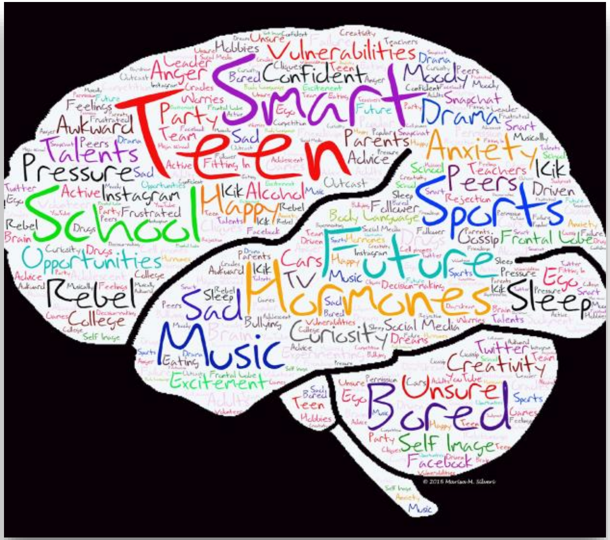
E-cigarettes are the most common tobacco product currently used (use on 1 or more days in the past 30 days) by **1.63 million** of America's middle school and high school students.

- **Almost 4 in 10** students reported frequent use (use on 20 or more days in the past 30 days); and
- **Slightly more than 1 in 4** reported daily use.

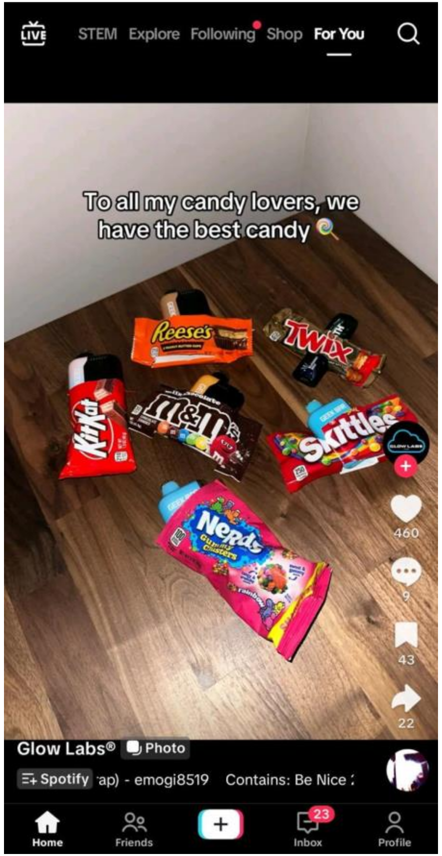
Source: Park-Lee E, Jamal A, Cowan H, et al. *Notes from the Field:* E-Cigarette and Nicotine Pouch Use Among Middle and High School Students — United States, 2024. MMWR Morb Mortal Wkly Rep 2024;73:774–778. DOI: http://dx.doi.org/10.15585/mmwr.mm7335a3

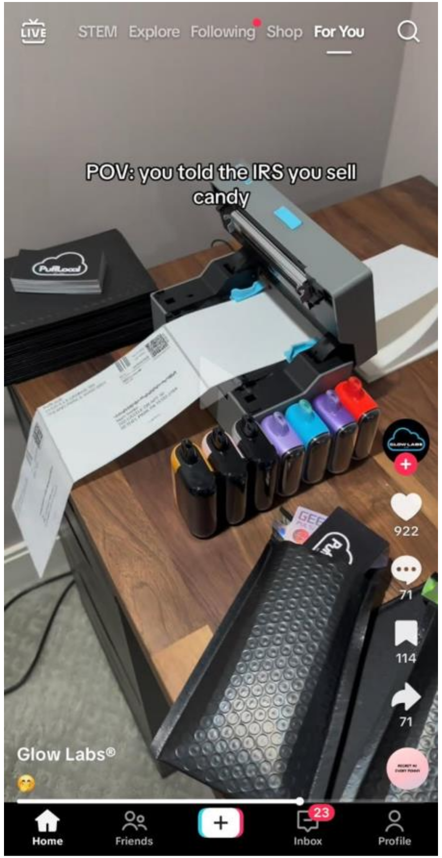
The Impact of Nicotine on the Adolescent Brain

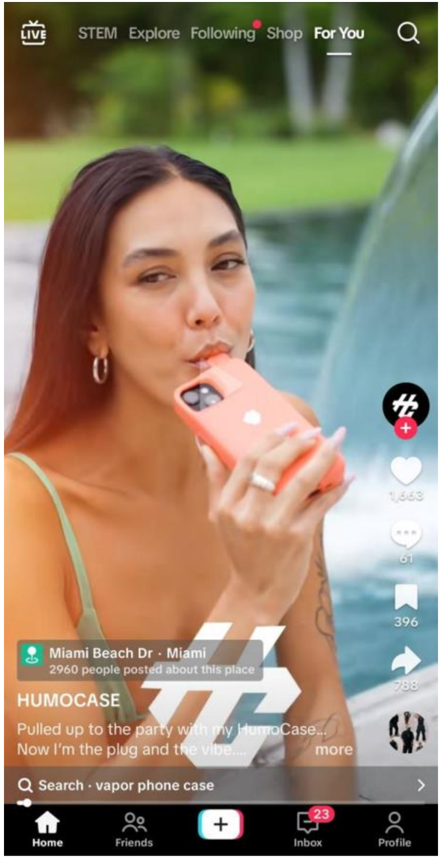
- No amount of nicotine is safe for young people.
- Nicotine is highly addictive and a stimulant.
- Youth exposed to nicotine are more likely to use other substances.
- 4 in 5 Minnesota teens who vape may be nicotine dependent.



Social Media Influences







Tobacco Industry Targeting

Tobacco Industry Targeting Cont.

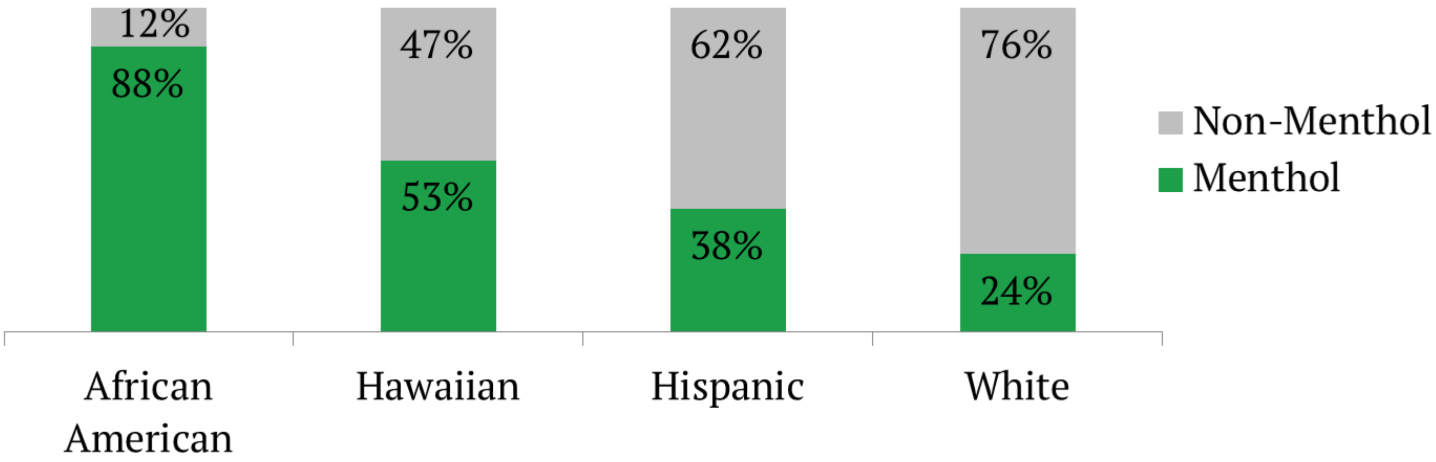
Menthol Tobacco = Harder to Quit

- Menthol increases nicotine absorption, leading to greater dependence.
- Among high school smokers, those who smoke menthols are more likely to smoke within one hour of waking and more likely to report cravings compared to high school smokers of non-menthols.

Wackowski & Delnevo, 2007. Menthol cigarettes and indicators of tobacco dependence among adolescents. *Addictive Behaviors, 32*(9), 1964-1969.

BEAUTIFUL LIE UGLY TRUTH
ABOUT MENTHOL TOBACCO

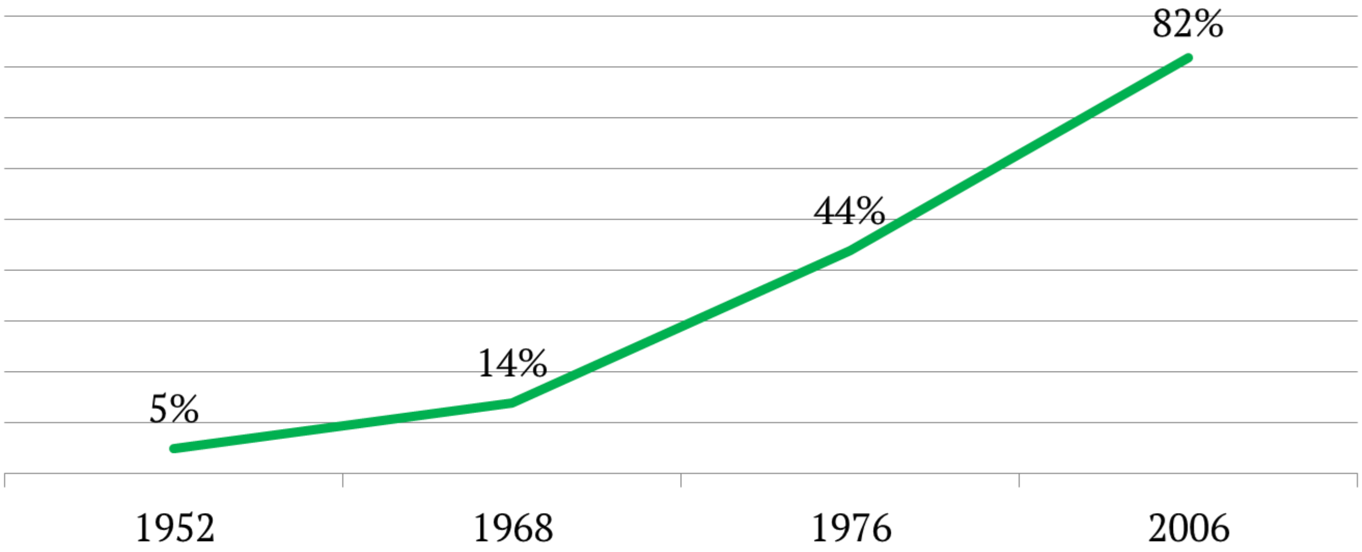
African Americans Use Menthol More Than Other Racial/Ethnic Groups



Smoking Incidence from NHIS 2009; menthol preference from NSDUH 2009; Giovino GA, Villanti AC, Mowery PD, et al. Differential trends in cigarette smoking in the USA: Is menthol slowing progress? Tobacco Control. 2013.

BEAUTIFUL LIE UGLY TRUTH
ABOUT MENTHOL TOBACCO

African Americans Adult Smokers Who Use Menthol



Smoking Incidence from NHIS 2009; menthol preference from NSDUH 2009; Giovino GA, Villanti AC, Mowery PD, et al. Differential trends in cigarette smoking in the USA: Is menthol slowing progress? Tobacco Control. 2013.

BEAUTIFUL LIE UGLY TRUTH ABOUT MENTHOL TOBACCO

Tobacco Industry Menthol Advertisements

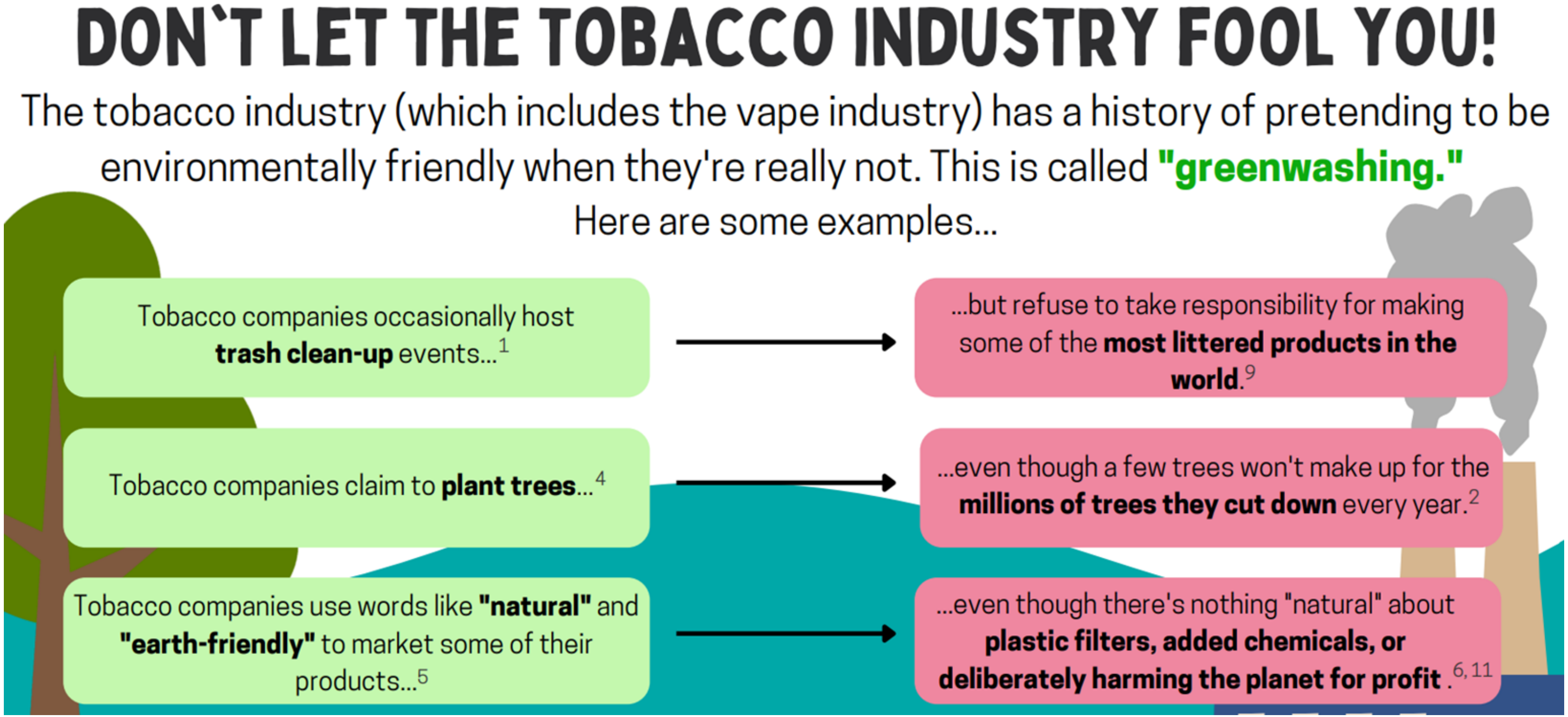
1975

2015

Sources: http://tobacco.stanford.edu/
http://tobacco.stanford.edu/
www.trinketsandtrash.org

BEAUTIFUL LIE
UGLY TRUTH
ABOUT MENTHOL TOBACCO

Tobacco Industry Greenwashing



Menthol Example

- A proposed menthol ban in the US would cut littering by 3.8 **billion** cigarette butts annually
  - 1.7 million pounds of waste each year
- This would have a huge environmental impact!

Craig LV, Chung-Hall J, Meng G, Fong GT. Calculating the potential environmental impact of a menthol cigarette ban in the USA. *Tobacco Control*. 2022. doi:10.1136/tc-2022-057563

Vape Waste is Toxic E-Waste

Vape waste creates three big environmental problems:

1. Increase in single-use plastics

2. Introduces hazardous and toxic chemicals like nicotine into the environment when thrown out

3. Increases tech waste, including lithium-ion batteries (which are also considered toxic waste).

Federal Updates

1. Tobacco 21 (2019)
2. Few restrictions on flavored vaping products
3. FDA declared menthol harmful, but has yet to act.

FDA Authorization

Examples of e-cigarettes authorized* by the FDA as of July 2024.

To date, FDA has authorized 34 tobacco- and menthol-flavored e-cigarette products and devices. They have not authorized a single fruit or candy-flavored vaping product.

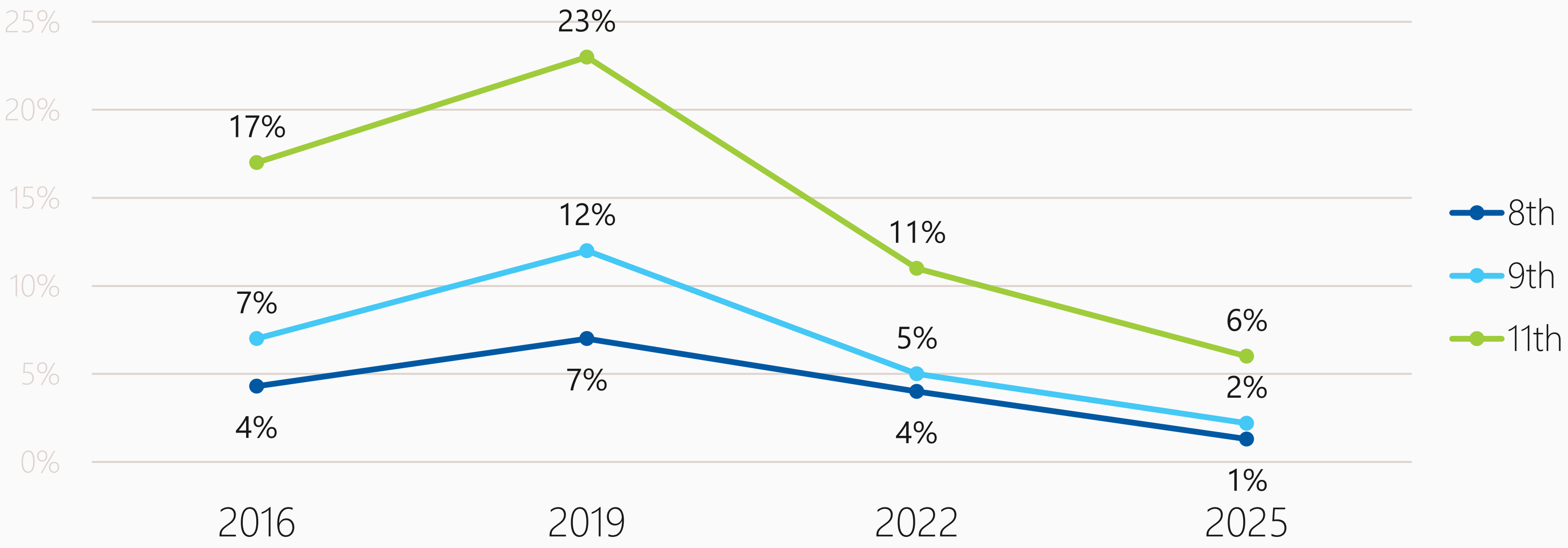
Minnesota Tobacco 21

- Increased age to purchase to 21 from 18 yrs old;
- Removed Purchase, Use and Possession (PUP) penalties for young people;
- Hold retailers accountable for responsible sales;
- Verification of age for those under 30; and
- Signage posted at the point-of-sale.

Local Commercial Tobacco Use Data and Disparities

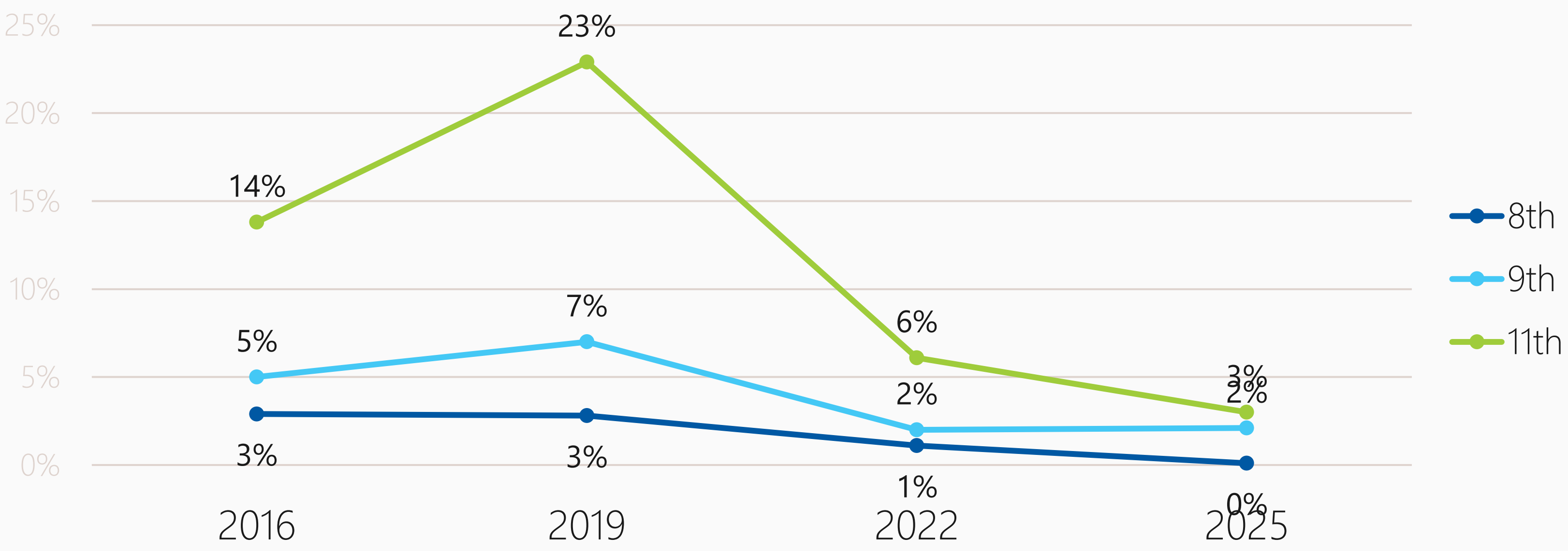
Current (past 30 days) youth e-cigarette use

Hennepin County, Minnesota Student Survey, 2016-2025



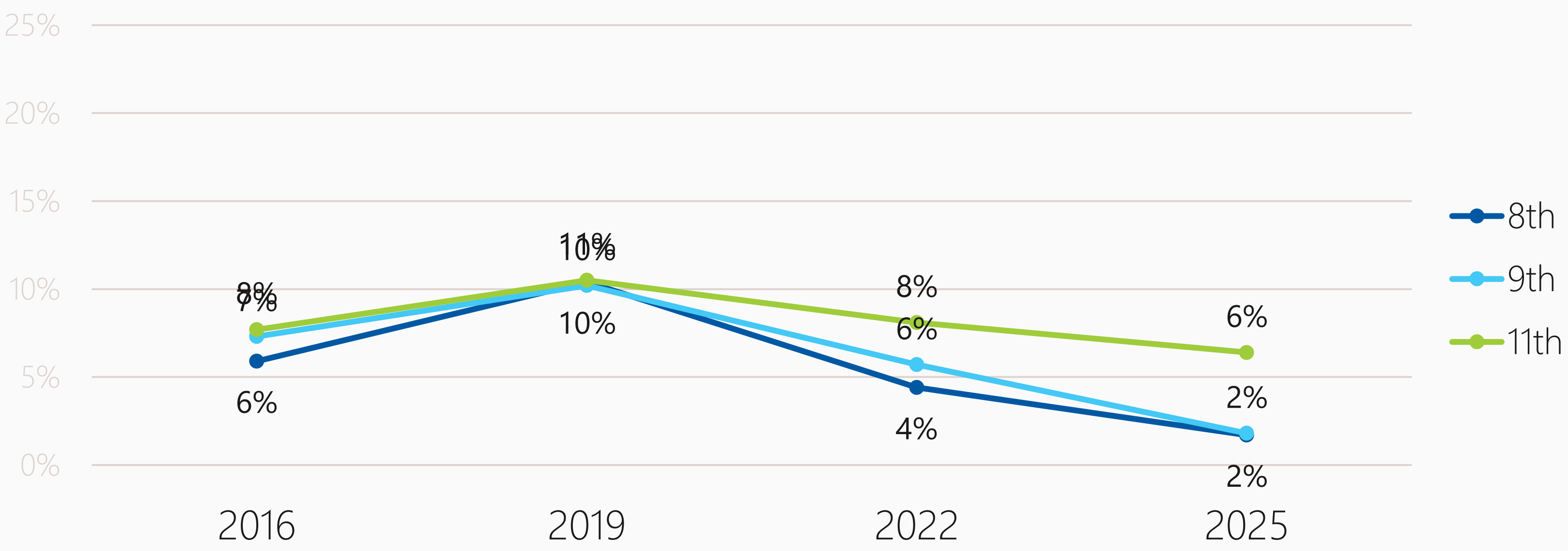
Current (past 30 days) youth e-cigarette use

Wayzata School District, Minnesota Student Survey, 2016-2025



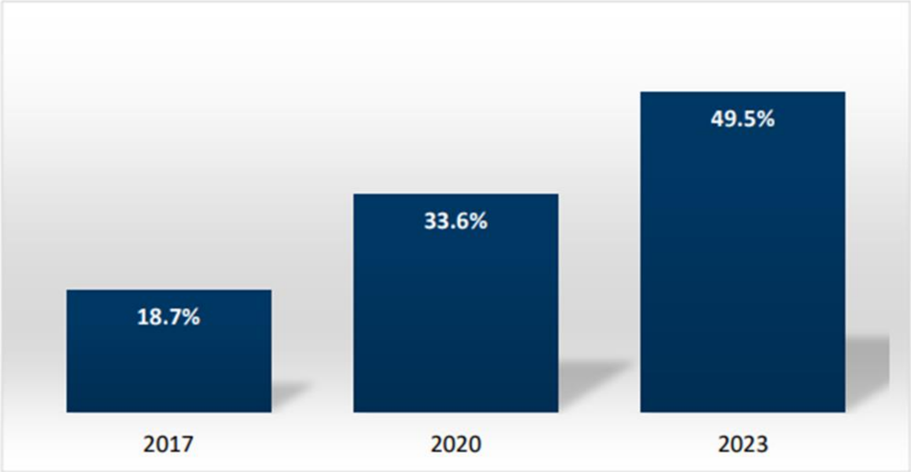
Current (past 30 days) youth e-cigarette use

Robbinsdale School District, Minnesota Student Survey, 2016-2025



Minnesota Youth Tobacco Survey, 2023

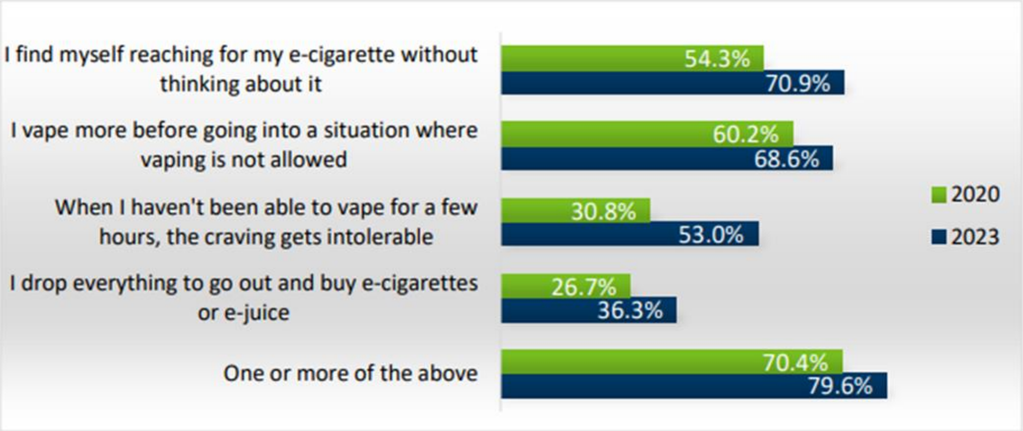
Figure 4. Percent of students who currently use e-cigarettes who reported frequent use, by year, 2017-2023



Source: Minnesota Youth Tobacco Survey, 2023. Denominator: students who reported having vaped in the past 30 days.

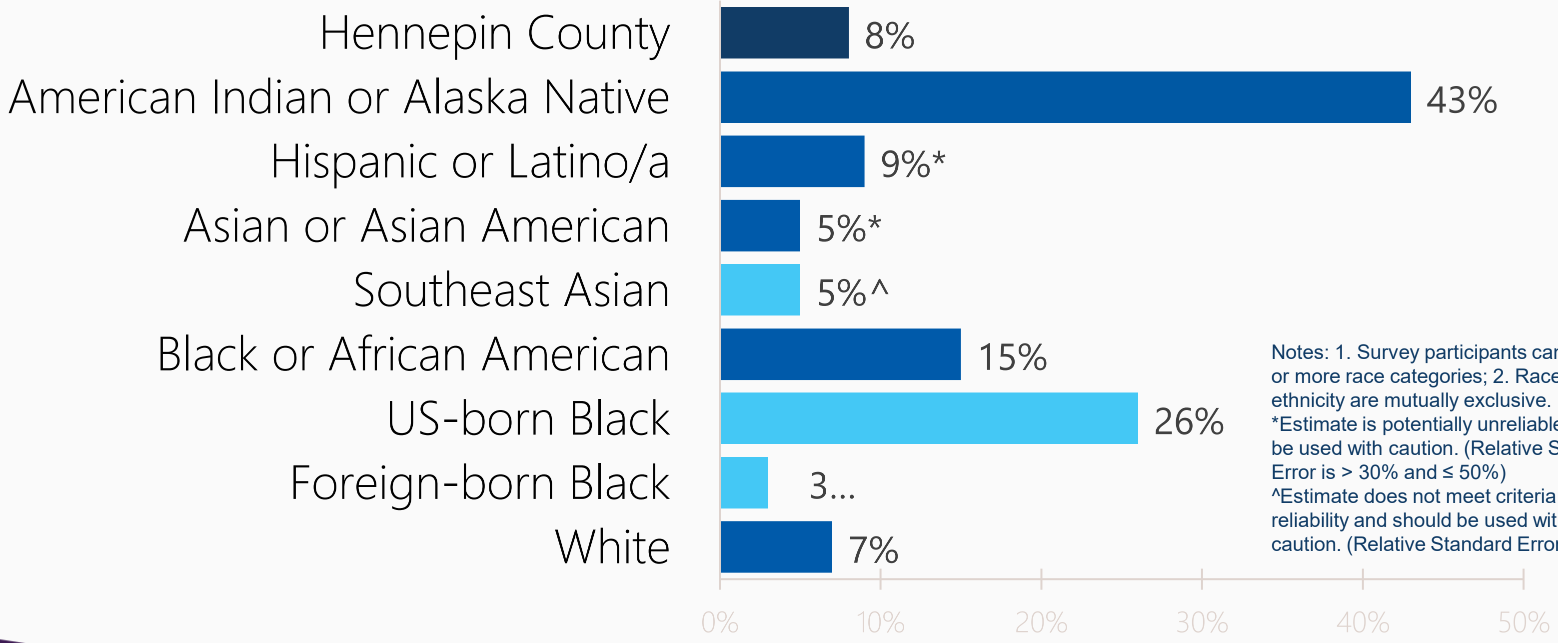
Minnesota Youth Tobacco Survey, 2023 Continued

Figure 7. Percent of students who currently use e-cigarettes and reported having experienced a sign of dependence, by year, 2020-2023.



Source: Minnesota Youth Tobacco Survey, 2020-2023. Denominator: students who reported having vaped in the past 30 days. Students are counted in the numerator if they reported experiencing the symptom rarely or more often.

Hennepin County adult current smoking by race/ethnicity

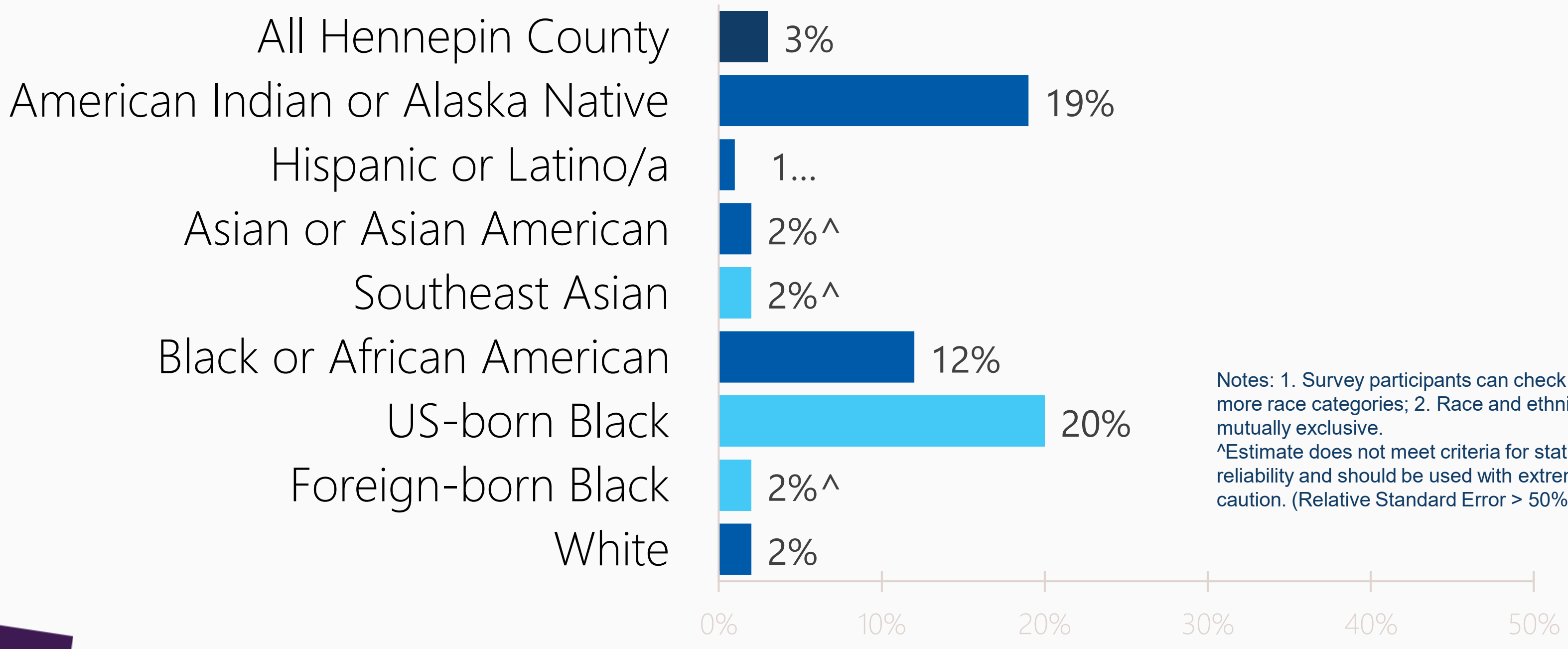


Notes: 1. Survey participants can check one or more race categories; 2. Race and ethnicity are mutually exclusive.
*Estimate is potentially unreliable and should be used with caution. (Relative Standard Error is > 30% and ≤ 50%)
^Estimate does not meet criteria for statistical reliability and should be used with extreme caution. (Relative Standard Error > 50%)

SHAPE 2022

Hennepin County Public Health, SHAPE 2022 Dashboard, Survey of the Health of All the Population and the Environment, Minneapolis, Minnesota, www.hennepin.us/your-government/research-data/shape-surveys, Accessed on 12/18/2025

Hennepin County adult menthol cigarette use by race/ethnicity

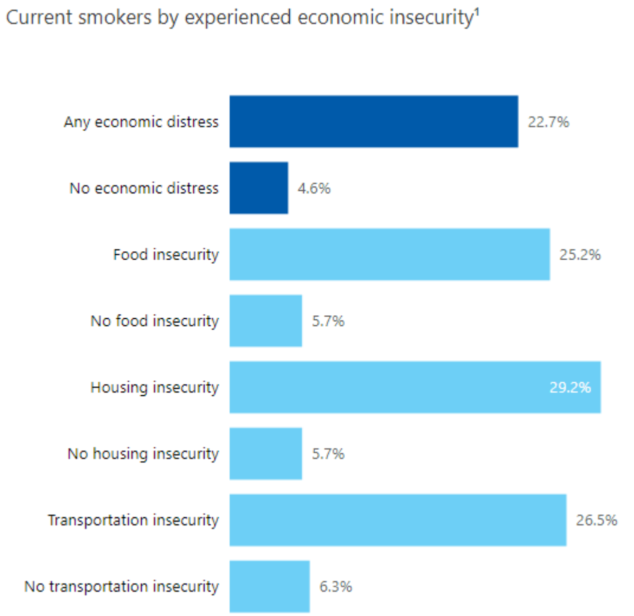


Notes: 1. Survey participants can check one or more race categories; 2. Race and ethnicity are mutually exclusive.
^Estimate does not meet criteria for statistical reliability and should be used with extreme caution. (Relative Standard Error > 50%)

SHAPE 2022

Hennepin County Public Health, SHAPE 2022 Dashboard, Survey of the Health of All the Population and the Environment, Minneapolis, Minnesota, www.hennepin.us/your-government/research-data/shape-surveys, Accessed on 12/18/2025

Hennepin County adult current **(past 30 days)** smoking by experienced economic insecurity



SHAPE 2022

Hennepin County Public Health, SHAPE 2022 Dashboard, Survey of the Health of All the Population and the Environment, Minneapolis, Minnesota, www.hennepin.us/your-government/research-data/shape-surveys, Accessed on 12/18/2025

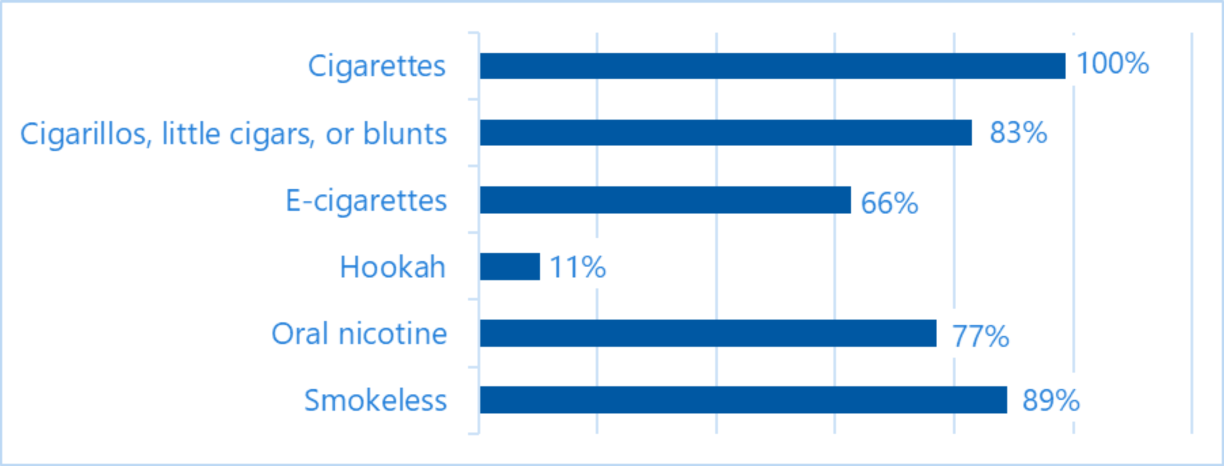
Commercial Tobacco Retailer Assessments

Plymouth Commercial Tobacco Retailer Assessment

- Countywide assessment in 2024
- Plymouth assessment in December 2025
- Conducted by Hennepin County Public Health
- Assessed 35 of 38 licensed retailers in Plymouth (3 licensed retailers were not selling tobacco at the time of the assessment)
- Goal: to learn about commercial tobacco retail characteristics:
  - Types of retailers
  - Flavors and menthol
  - Price and promotions
  - Youth appeal

Percent of retailers selling commercial tobacco products

Plymouth



Hennepin County

93%

73%

50%

16%

63%

73%

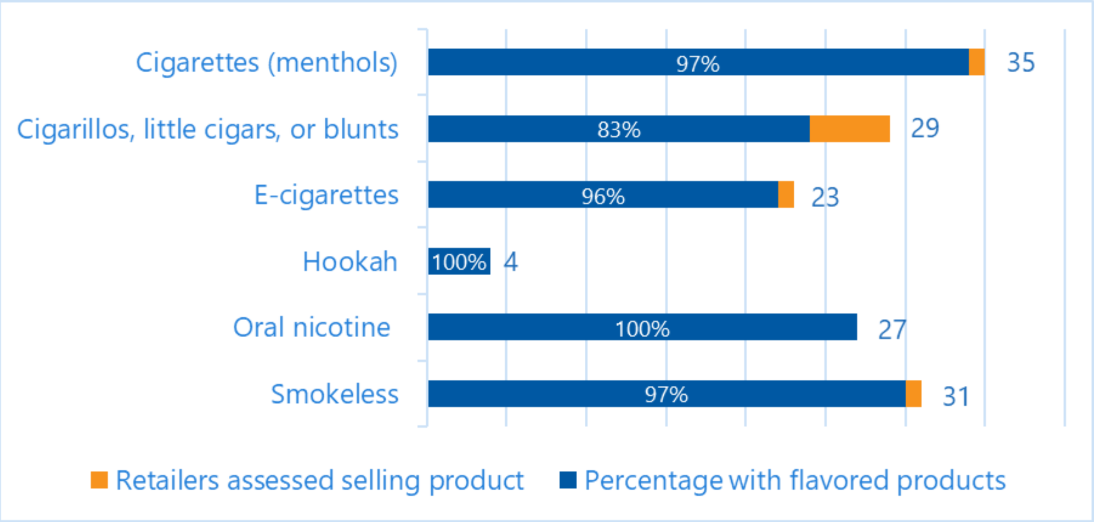
Recap: Flavors and menthol

- Flavored products are more appealing to youth and play a significant role in youth initiation.
- In 2023, 76% of Minnesota teens reported that the first commercial tobacco product they ever tried was flavored
- Tobacco companies have targeted menthol marketing to African Americans and other marginalized groups across the country for decades, contributing to disparities in commercial tobacco product use and subsequent harm.

Photo credit: Association for Nonsmokers - MN

Percent of retailers with flavored products

Plymouth



Hennepin County

84%

83%

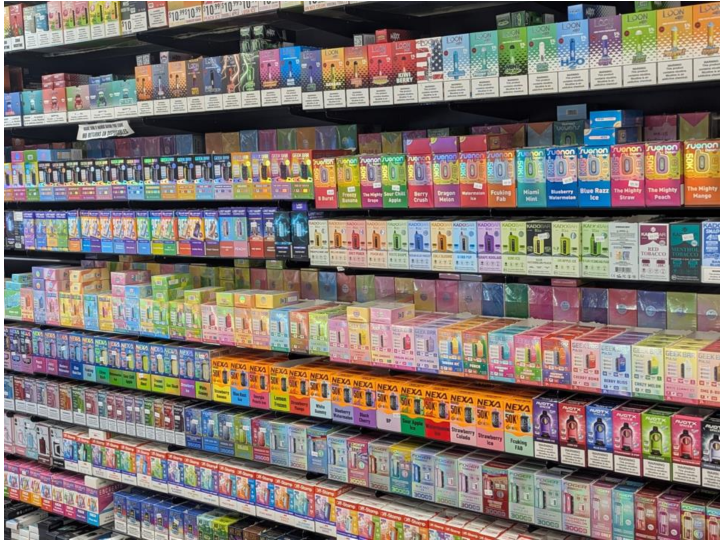
92%

96%

86%

88%

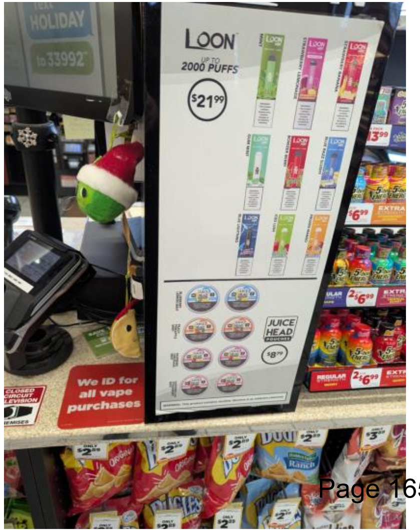
Percent of retailers selling different e-cigarette flavors


NEXA
50K


MAXFLOW
Feel Good
ULTRA GOLD
K CHILL
VIVAZEN
FEEL FREE
KINGDOOM KRATOM
MIT45 GOLD
UNDERAGE SALE PROHIBITED
LOON
BREEZE
JUICE HEAD
SAVE $10
BUY 2 FOR $17.98


LOON
ZERO NIC!!
MONTEGO


ZYN
VELO


HOLIDAY
LOON
UP TO
2000 PUFFS
$21.99
JUICE HEAD
POUCHES
We ID for all vape purchases

Price and promotions

- Increasing the price of cigarettes and other commercial tobacco products is one of the most effective ways to reduce consumption and initiation and increase smoking cessation [6-9].
- For every 10% increase in the price of cigarettes, adult smoking decreases by 3-5%, and youth smoking decreases by 6-7% [10].
- The tobacco industry uses price promotions such as multi-pack offers, discounts, and coupons to significantly decrease the cost of commercial tobacco products.

Plymouth retailer

Average cheapest advertised price

Plymouth

$10.53
Cigarettes

$11.84
Single Disposable E-cigs

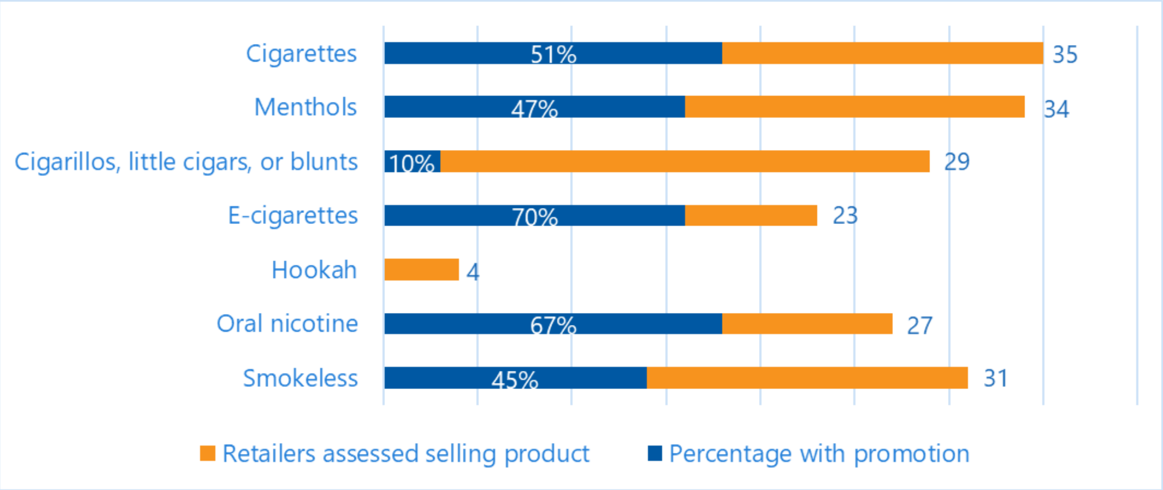
Hennepin County

$10.96
Cigarettes

$15.41
Single Disposable E-cigs

Percent of retailers with price promotions

Plymouth



Hennepin County

33%
24%
17%
30%
16%
37%
35%

Exposure and density

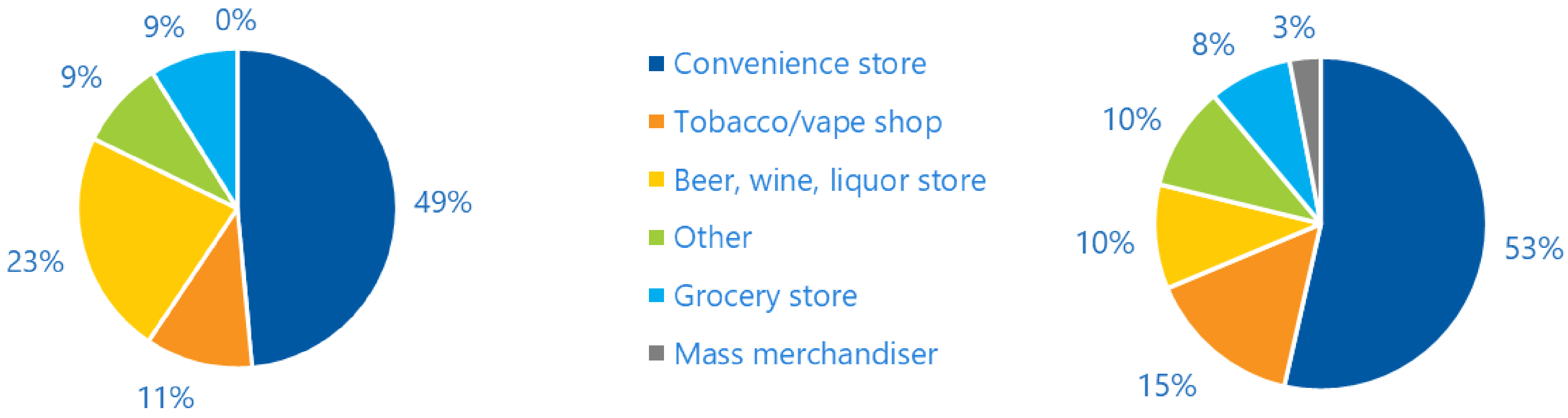
- **Exposure** to commercial tobacco advertising and marketing is associated with increased use, including youth initiation [1, 2].
- The more retailers in a community, the more exposure and access to products.

Plymouth retailers →

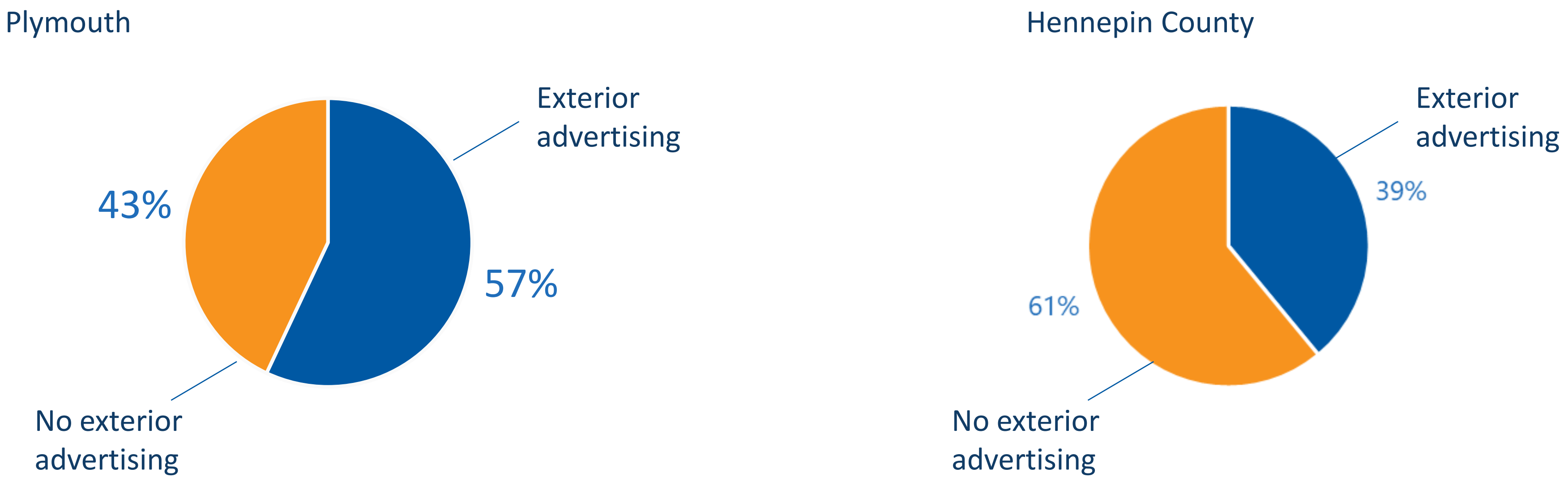
Types of retailers assessed

Plymouth

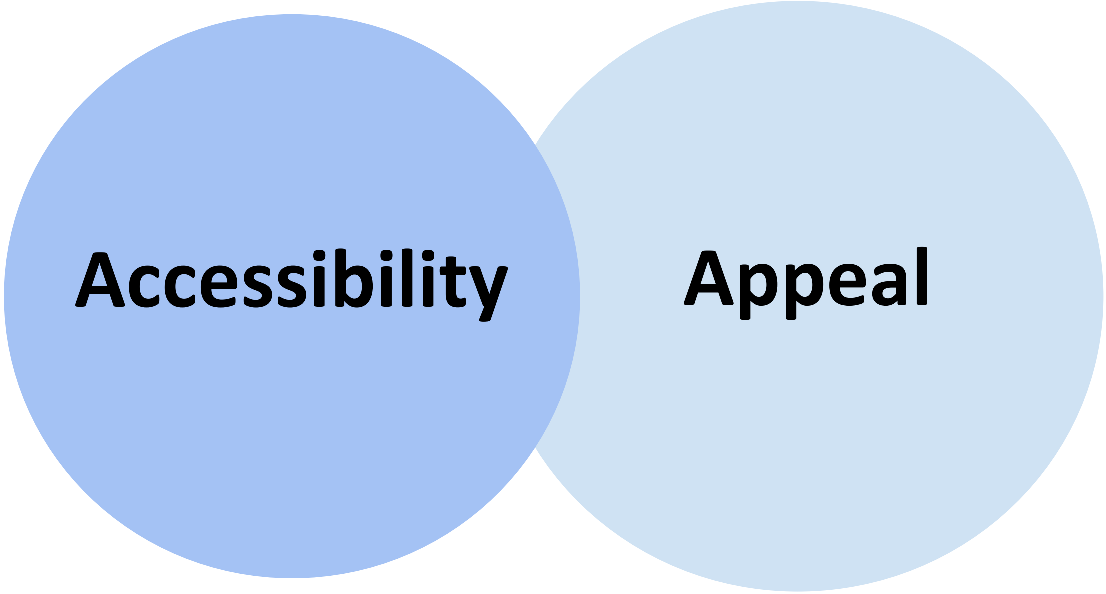
Hennepin County



Percent of retailers with exterior tobacco advertising



Commercial Tobacco Prevention: Best Practices



Other Best Practice: Policy Options to Address Appeal, Access, & Affordability

- Ending the sale of flavored commercial tobacco products;
- Limiting the number of licensed tobacco retailers;
- Price discounting: minimum pack prices and prohibiting the redemption of coupons; and
- Increased penalties for ordinance violations.

Ending the Sale of Flavored Commercial Tobacco Products

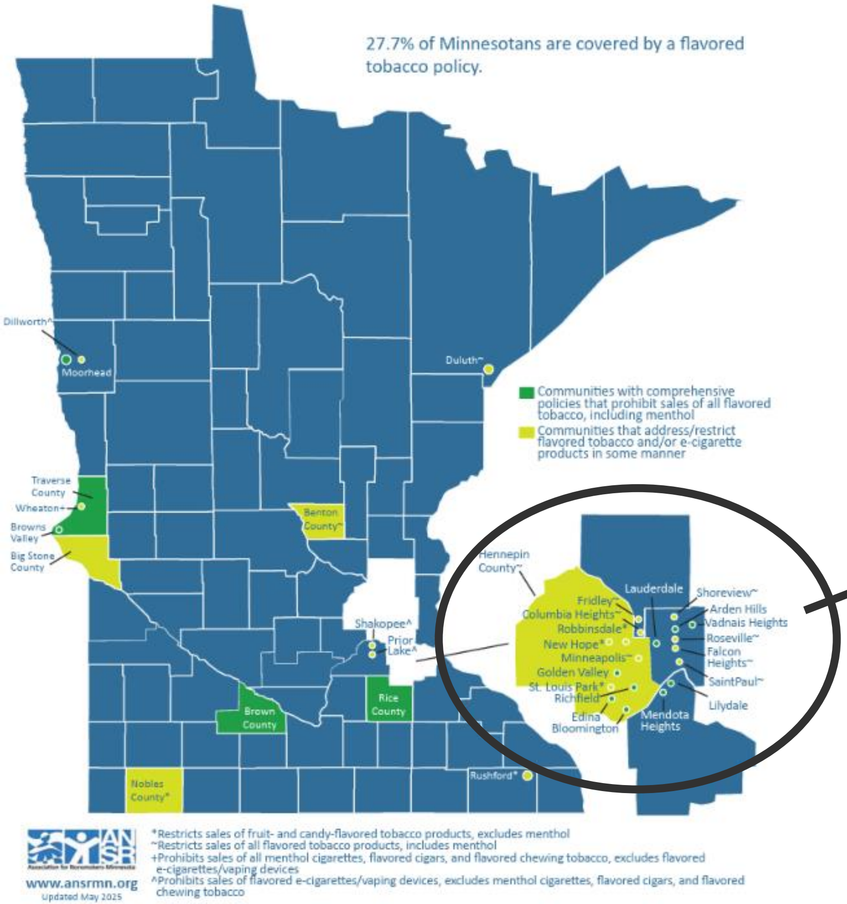
Local tobacco control policies are associated with lower smoking rates, especially among disadvantaged populations. Strengthening and expanding these policies may be an effective strategy to further reduce tobacco-related disparities.

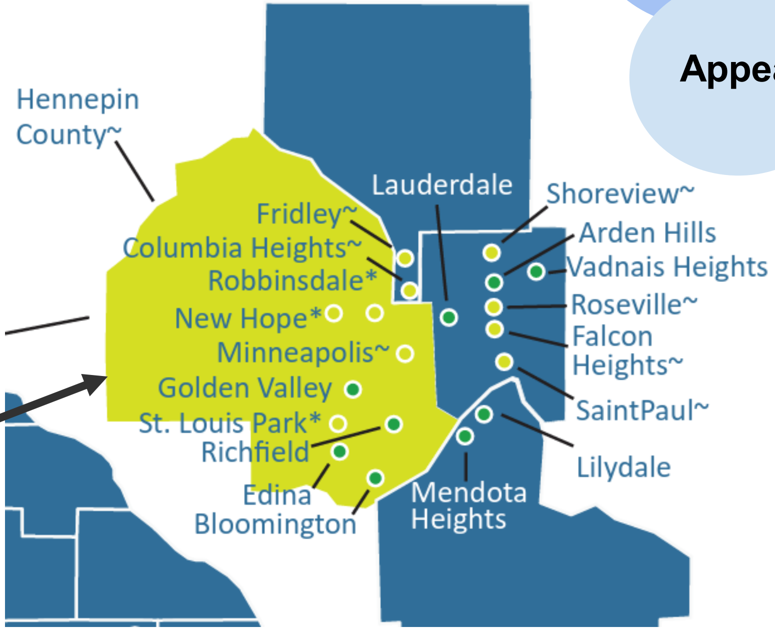
Yu Y, Toy P, Yue D,et al. Tob Control Epub ahead of print: 15, July, 2025. doi:10.1136/tc-2024-059213

Flavors play a key role in commercial tobacco use. Because flavors are particularly appealing to young people, eliminating flavors in commercial tobacco products is expected to lead to reduction in commercial tobacco use and commercial tobacco-related health disparities.

U.S. Department of Health and Human Services. Eliminating Tobacco-Related Disease and Death: Addressing Disparities—A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2024.

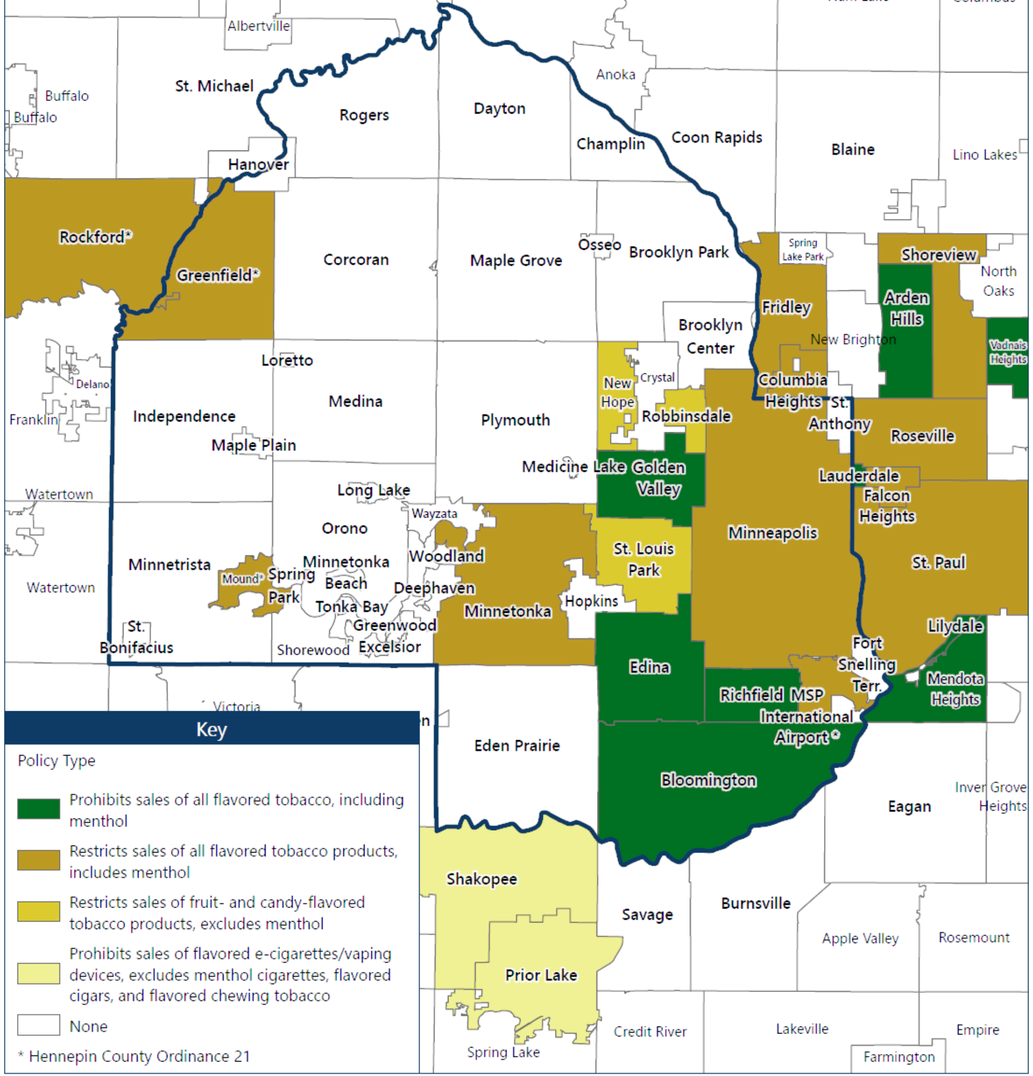
MN Communities with Flavored Policy





Access-ibility

Appeal


Albertville
Buffalo
St. Michael
Rogers
Dayton
Anoka
Champlin
Coon Rapids
Blaine
Lino Lakes
Hanover
Rockford*
Greenfield*
Corcoran
Maple Grove
Osseo
Brooklyn Park
Spring Lake Park
Shoreview
North Oaks
Fridley
Arden Hills
Vadnais Heights
New Brighton
Brooklyn Center
Crystal
New Hope
Robbinsdale
Columbia Heights
St. Anthony
Roseville
Loretto
Medina
Delano
Franklin
Independence
Maple Plain
Plymouth
Medicine Lake
Golden Valley
Lauderdale
Falcon Heights
Watertown
Long Lake
Wayzata
Orono
Woodland
St. Louis Park
Minneapolis
St. Paul
Minnetrista
Mound*
Spring Park
Minnetonka Beach
Tonka Bay
Deephaven
Minnetonka
Hopkins
Greenwood
Excelsior
Shorewood
St. Bonifacius
Edina
Lilydale
Fort Snelling Terr.
Mendota Heights
Richfield
MSP International Airport*
Victoria
Eden Prairie
Bloomington
Eagan
Inver Grove Heights
Shakopee
Savage
Burnsville
Apple Valley
Rosemount
Prior Lake
Credit River
Lakeville
Empire
Spring Lake
Farmington
Key
Policy Type
Prohibits sales of all flavored tobacco, including menthol
Restricts sales of all flavored tobacco products, includes menthol
Restricts sales of fruit- and candy-flavored tobacco products, excludes menthol
Prohibits sales of flavored e-cigarettes/vaping devices, excludes menthol cigarettes, flavored cigars, and flavored chewing tobacco
None
* Hennepin County Ordinance 21

Cap Retail Tobacco Licenses

Access-
ibility

Restricting the number of tobacco licenses allowed in a community is a way to decrease commercial tobacco in a community.

Research shows that the ***location and density of commercial tobacco-related product retailers influences tobacco-related product use and worsens health disparities.***

Capping: What have other Communities Done?

Access-ibility

- **Columbia Heights:** No more than three (3) tobacco shops.
- **Saint Anthony Village:** Capped their licenses at 0. Currently have five (five). No new licenses will be issued, and through attrition it will be 0.
- **Bloomington**: Capped their licenses at 0. Through attrition, the city will get down to zero tobacco licenses.
- **Little Canada:** Capped their licenses at 0. Currently have seven (7). No new licenses will be issued, and through attrition it will be 0.
- **New Brighton:** Capped the number of licensed tobacco shops to four (4) currently seven (7).
- **Roseville:** Capped their tobacco shops are the current four (4).
- **Richfield:** Capped their licenses at four (4). Through attrition, the city will get down to 4 total tobacco licenses.

Price Discounting & Coupons

Access-ibility

Appeal

» Among Minnesota smokers, about 50% have used coupons or promotions in the past year to save money on cigarettes.

» Coupons foster nicotine addiction in young smokers and keep heavy smokers addicted.

» Minnesota adult smokers who redeemed cigarette coupons were much less likely to quit smoking than those who didn't use coupons.

Sources:
Stat: from MATS survey 2014
Henriksen, et al. (2012). DOI: 10.1093/ntr/ntrl22, Choi, et all. (2012). DOI: 10.1093/ntr/ntr300
Choi, K. & Forster, J. Tobacco Direct Mail Marketing: Frequency, Content, and Prospective Effect on Smoking Behaviors of Young Adults.

Price Discounting and Coupons: What have other Communities Done?

Access-ibility

Appeal

- **St. Paul:** Ended the use of commercial tobacco coupons and price discounts including in-store promotions like “Buy One, Get One Free”. Set a minimum price for cigarettes and chewing tobacco at $10 each.
- **Saint Anthony Village:** Ended the use of commercial tobacco coupons and price discounts including in-store promotions like “Buy One, Get One Free”. Set a minimum price for cigarettes and chewing tobacco at $15 each and vapes at $20 each.
- **Minneapolis:** Ended the use of commercial tobacco coupons and price discounts including in-store promotions like “Buy One, Get One Free”. Set a minimum price for cigarettes and chewing tobacco at $15 each and vapes at $25 each.

Penalties and violations

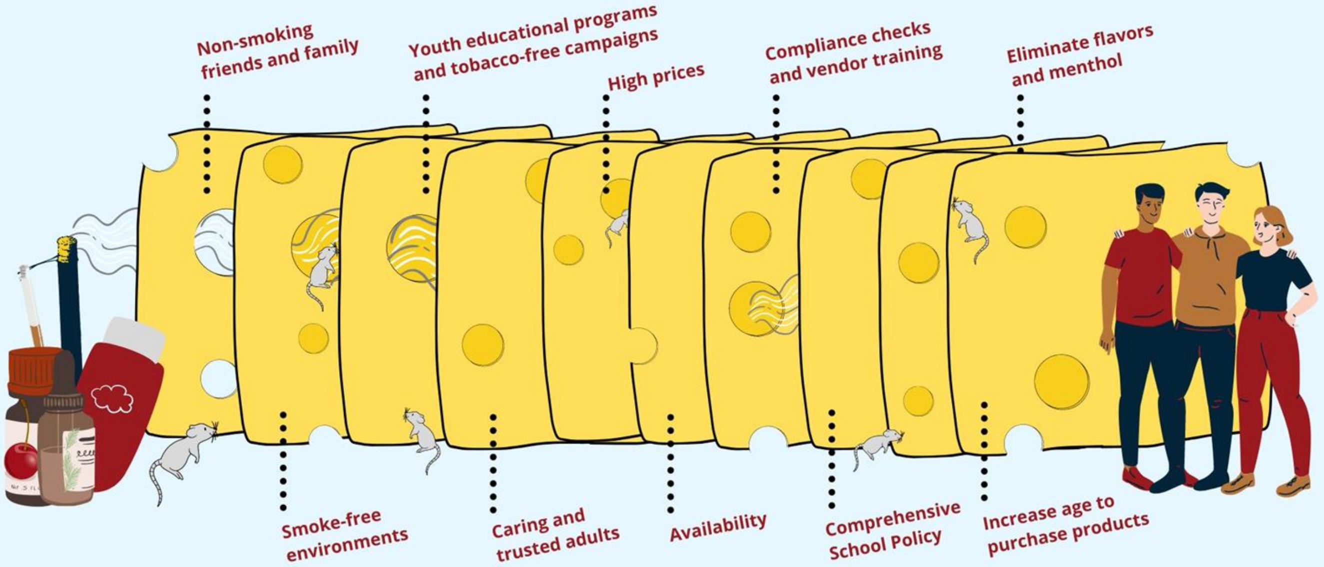
	MN State Minimum	Plymouth (presumptive)	Plymouth (maximum)	Saint Anthony Village	Roseville	Columbia Heights
First Violation	$300	$500 and 5-day suspension stayed	$2,000 and/or 60-day suspension	$1,000	$1,000	$600
Second Violation w/in 36 mo	$600	$750 and 5-day suspension	$2,000 and/or 60-day suspension	$2,000 & 3 day license suspension	$1,000 & 3 day (minimum) license suspension	$1,200 & 3 day (minimum) license suspension
Third Violation w/in 36 mo	$1,000 & 7 day (minimum) license suspension	$1,000 & 10-day suspension	$2,000 and/or 60-day suspension	$2,000 & 7 day (minimum license suspension	$2,000 & 7 day (minimum license suspension	$2,000 & 7 day (minimum license suspension
Fourth Violation w/in 36 mo		Revocation	Revocation	License revocation	License revocation	License revocation

Why Address Commercial Tobacco Locally?

- **Why Flavors?** The vast majority of the tobacco products youth are using are flavored; nearly 80 percent of youth who ever tried tobacco started with a flavored tobacco product. And 95% of tobacco users start before they are 21. Prevention is key.
- Of MN Adults who smoke menthol, about half said they would quit smoking if menthol cigarettes were no longer sold in the United States. (MATS, 2014)
- **Why Capping?** Research shows that the location and density of commercial tobacco-related product retailers influences tobacco-related product use and worsens health disparities.
- **Why Price Discounting?** This comprehensive tobacco ordinance will make commercial tobacco products less accessible and appealing to young people and will protect youth, Black, Indigenous, LGBTQIA+ and other residents from industry targeting.
- **Why Increased Penalties?** State minimum fines were increased in 2020. Selling tobacco is a privilege and we must hold retailers accountable.

SWISS CHEESE MODEL OF COMMERCIAL TOBACCO PREVENTION

Effective commercial tobacco prevention happens when interventions are layered together to create a healthy tobacco-free community.



Interventions

Targeted tobacco industry marketing, social media misinformation, and tobacco lobbyists weakening regulations

Source: Adapted from James T. Reason

The Association for Nonsmokers-Minnesota
TOBACCO-FREE ALLIANCE
2395 University Avenue W, Ste 310, St. Paul, MN 55114
651-646-3005 www.ansrmn.org
(February 2021)

Smoke-Free Housing Policies

Summary of Smoke-Free Housing Policy Options

- **Highest impact**
  - Smoke-Free Housing Requirement
  - Smoke-Free Policy Disclosure Ordinance
- **Other options**
  - Municipal resolution or declaration
  - Resident and property owner/manager education
  - Rental license discount for smoke-free policies
  - Require city funded projects to be smoke free

Thank You! Questions?

Emily Anderson, MA
Director of Policy,
Association for Nonsmokers-MN
emily@ansrmn.org
651-646-3005

Jackie Siewert
Principal Planning Analyst
Hennepin County Public Health
jacquelyn.Siewert@hennepin.us
612-543-0402

FOR people doing the work. **BY** people doing the work.

License Fees by City

City	Fee
Arden Hills	$300 License, includes Inv. Fee
Blaine	$200-w/out automatic card reader/$100, $50 Inv. Fee
Bloomington	$180
Brooklyn Park	$200 annual fee, $200 one time Inv. Fee
Burnsville	$400
Champlin	$325
Columbia Heights	$300
Coon Rapids	$225, $160 Inv. Fee
Cottage Grove	$250
Crystal	$450, $100 Inv. Fee per person
Edina	$550
Eden Prairie	$300, $250 Inv. Fee
Golden Valley	$275
Hopkins	$200
Little Canada	$250/Year or $125/6 Month
Maple Grove	$275, $500 corporation or $250 Ind. Inv. Fee
Maplewood	$250, $135 Inv. Fee
Minnetonka	$250
New Brighton	$345, $375 ind. or $500 multiple Inv. Fee, $250 Inv fee for ownership change
New Hope	$250, $100 for ID training
Oak Grove	$100
Plymouth	$300
Ramsey	$250-w/out automatic card reader/$100 with, E-cigarette sales $250-w/out automatic card reader/$100 with
Richfield	$574
Robbinsdale	$325
Rogers	$300, $50 Inv. Fee
Saint Louis Park	$750
Vadnais Heights	$300
White Bear Lake	$181
Woodbury	$300, $250 Inv. Fee

City	1st Violation	2nd Violation	3rd Violation	4th Violation	Individual Fee	
Arden Hills	administrative fine of $1,000	within 36 months fine of $2,000 plus 3-day license suspension	within 36 months fine of $2,000 plus 7-day license suspension	within 36 months shall subject the licensee to license revocation		
Blaine	administrative fine of $300	within 36 months fine of $600	within 36 months fine of $1,000 plus 30-day license suspension	within 36 months the license will be revoked	$50	
Bloomington	administrative fine of $300	within 5 years fine of $600	within five years fine of $1,000 plus 7-day license suspension	revoke a license, suspend a license for up to 60 days, impose a civil penalty of up to $1,000 for each additional violation	$50	
Brooklyn Park	administrative fine of $300	within 36 months fine of $600	within 36 months fine of $1,000 plus 30-day license suspension or may be revoked	Same as 3rd violation	$50	
Burnsville	administrative fine of $300	within 36 months fine of $600	within 36 months fine of $1,000 plus 30-day license suspension	within 36 months the license will be revoked	$50	
Champlin	administrative fine of $300	within 36 months fine of $600	within 36 months fine of $1,000 plus 7-day license suspension	within 36 months the license will be revoked		
Columbia Heights	administrative fine of $300	within 36 months fine of $600	within 36 months fine of $1,000 plus 7-day license suspension	within 36 months the license will be revoked	$50	
Coon Rapids	administrative fine of $300	within 36 months fine of $600	within 36 months fine of $1,000 plus 7-day license suspension	within 36 months the license will be revoked	$50	
Cottage Grove	Follows Minnesota Statutes Section 461.12					
Crystal	administrative fine of $300-$750 plus 1-day license suspension	within 36 months fine of $600-$1500 plus 5-day license suspension	within 36 months fine of $1000-$2000 plus 7-day license suspension	within 48 months the license will be revoked	$50-$750-First $50-$1500-Second $50-$2,000-Third	
Edina	administrative fine of $300	within 36 months fine of $600	within 36 months fine of $1,000 plus 7-day license suspension	within 36 months fine of $1,000 plus the license will be	$50	
Eden Prairie	administrative fine of $300	within 36 months fine of $600	within 36 months fine of $1,000 plus 7-day license suspension and may be revoked		$50	
Golden Valley	administrative fine of $500 plus 1-day license suspension	within 36 months fine of $1000 plus 3-day license suspension	within 36 months fine of $2000 plus 10-day license suspension	within 48 months the license will be revoked for at least one year	$50-First $100-Second within 12 months $150-Third within 12 months	
Hopkins	$75	within 24 months $200	within 24 months $350, plus 7-day licnese suspension		$50	
Little Canada	administrative fine of $300	within 36 months fine of $600	within 36 months fine of $1,000 plus 30-day license suspension and may be revoked	within 36 months the license will be revoked	$50	
Maple Grove	Follows Minnesota Statutes Section 461.12					
Maplewood	administrative fine of $300	within 36 months fine of $600	within 36 months fine of $1,000 plus 7-day license suspension and may be revoked		$50	If the administrative penalties authorized to be imposed by Minn. Stats. § 461.12, as it may be amended from time to time, differ from those established in this section, then the higher penalties shall prevail.
Minnetonka	administrative fine of $300	within 36 months fine of $600	within 36 months fine of $1,000 plus 7-day license suspension and may be revoked		$150	
New Brighton	administrative fine of $300	within 36 months fine of $600	within 36 months fine of $1,000 plus 30-day license suspension	within 36 months the license will be revoked	$50	
New Hope	administrative fine of $300 plus 3 days suspension	$750 plus 15 days suspension	$1500 plus 30 days suspension	revocation	$50	
Oak Grove	administrative fine of $75	within 24 months $200	within 24 months $250, plus 7-day suspension		$100	
Plymouth	administrative fine of $500 plus 5-days stayed suspension	within 36 months fine of $700 plus 5-day license suspension	within 36 months fine of $1000 plus 10-day license suspension	within 36 months revocation	$50	
Ramsey	Follows Minnesota Statutes Section 461.12					
Richfield	administrative fine of $300	within 36 months fine of $600 plus 2-day license suspension	within 36 months fine of $1000 plus 7-day license suspension	within 36 months fine of $1000 plus license revocation	$50	
Robbinsdale	administrative fine of not less than $75 nor mor than $500, up to 10-day suspension	within 24 months fine of not less than $200 nor mor than $750, up to 20-day suspension	within 24 months fine of not less than $250 nor mor than $1000, up to 30-day suspension		$50-$500-First $50-$750-Second $50-$1,000-Third	
Rogers	administrative fine of $75	within 24 months $200	within 24 months $250, plus 7-day suspension		$50	
Saint Louis Park	administrative fine of $500	within 36 months fine of $1000 plus 1-day suspension	within 36 months fine of $2000 plus 30-day suspension	revocation		
Vadnais Heights	administrative fine of $300	within 36 months fine of $600	within 36 months fine of $1,000 plus 30-day license suspension	revocation	$50	
White Bear Lake	Follows Minnesota Statutes Section 461.12					
Woodbury			within one year suspended for a minimum of 60 days or revoked upon finding that the retail licensee is responsible for three violations		$50-Employee $75- Licensee	

Peer Cities Survey

City	Number of total current licenses	Number of exclusive shops	Population	Is there a cap on tobacco licenses?
Arden Hills	5	0	9,592	Yes, 6 – no exclusive shops
Blaine	50	11	70,222	Yes, 50 retail stores, up to 12 tobacco products stores
Bloomington	49	5	89,987	Yes, no new licenses permitted as of July 2022
Brooklyn Park	50	12	84,993	No
Burnsville	47	13	64,522	No
Champlin	15	3	23,919	Yes, up to 2 exclusive shops allowed
Columbia Heights	14	3	21,973	Yes, up to 3 tobacco product shops allowed
Coon Rapids	46	11	63,415	No
Cottage Grove	22	4	41,027	No
Crystal	20	6	22,265	Yes, 6 exclusive tobacco shops
Edina	13	0	53,494	No
Eden Prairie	27	6	54,442	No
Golden Valley	10	0	55,305	Yes, 8 total tobacco licenses
Hopkins	18	3	18,608	No
Little Canada	6	1	10,819	Yes, up to 2 tobacco stores and 5 retail stores
Maple Grove	29	5	71,230	Yes, up to 5 exclusive shops allowed
Maplewood	42	10	42,088	No
Minnetonka	28	6	54,474	Yes, up to 6 exclusive shops allowed
New Brighton	16	4	22,379	Yes, up to 4 tobacco product shops
New Hope	20	5	21,986	Yes, 21 total licenses
Oak Grove	7	1	9,311	No
Plymouth	40	4	80,762	No
Ramsey	18	5	27,646	No
Richfield	16	3	36,710	Yes, 4 total tobacco licenses
Robbinsdale	11	2	14,500	Yes, 11 retail and 2 tobacco product shops
Rogers	11	2	13,295	No
Saint Louis Park	19	1	50,000	No
Vadnais Heights	11	2	12,473	Yes, 6 total licenses
White Bear Lake	24	5	24,883	Yes, up to 10 exclusive shops allowed
Woodbury	28	9	77,224	No

Special City Council
October 28, 2025
Agenda Number: 2.2

To: Dave Callister, City Manager

Prepared by: Amy Gottschalk, Deputy City Clerk

Reviewed by: Jodi Gallup, City Clerk

Item: **Review tobacco licensing ordinance**

1. Action Requested:

Review the tobacco licensing ordinance and discuss license limit options.

2. Background:

At the March 13 Regular Council Meeting, the City Council discussed a proposed zoning ordinance text amendment to consider allowing exclusive tobacco shops in the Commercial Highway district. The item was tabled to the April 22 meeting for further analysis and council action, where council voted to deny the proposed ordinance text amendment. However, the council expressed interest in further reviewing the city's tobacco ordinance to explore the potential for tobacco license limits and buffer zones.

<u>Current Licensing Overview</u>

As of this report, the City of Plymouth has a total of 38 licensed tobacco retailers, which includes:

- Four exclusive tobacco shops
- 34 accessory (retail) establishments

<u>Zoning Regulations</u>

Tobacco shops are a listed permitted use in the C-2 and C-4 but not C-3 zoned properties. Tobacco products can currently be sold as an accessory use in the C-3 zoning district with a city-issued license, and there are several convenient stores/gas stations located in the C-3 zoning district that obtain licenses to sell tobacco products.

<u>Peer City Analysis</u>

Staff conducted a review of tobacco licensing practices in 29 peer cities. Key findings include:

- 15 cities currently impose a limit on the number of tobacco licenses.
- The majority of these cities only limit exclusive tobacco shops, not accessory retailers. Maple Grove, for example, limits exclusive tobacco shops to five, while allowing an unlimited number of accessory retailers.
- Some cities have adopted a phased reduction approach, allowing existing licenses to remain but not issuing new ones as licenses are revoked or expire. Bloomington has adopted a policy of not accepting new tobacco license applications, effectively reducing the number of licenses to zero over time.

Policy Considerations

Staff seeks council discussion and direction on potential changes to the tobacco ordinance. This section outlines the possible policy pathways, implications, and options related to both license limits and buffer zones, with examples drawn from peer cities and public health best practices.

Cap on Exclusive Tobacco Retailers Only. Limit the number of stand-alone tobacco retailers (e.g., to 3–5 citywide). This approach aligns with practices in Maple Grove and other suburban municipalities. It targets businesses primarily focused on tobacco sales without overly restricting grocery and convenience stores.

- Pros:
    - Targets businesses primarily focused on tobacco, limiting exposure without impacting general retail
    - Easier to enforce and monitor a small number of businesses
    - Aligns with peer cities (e.g. Maple Grove), making it a defensible and tested model

- Cons:
    - Does not address total retail density if accessory retailers (e.g., gas stations, convenience stores) are not included
    - May incentivize accessory retailers to increase tobacco focus to fill market demand
    - Reduces flexibility for business development or expansion
    - Business transferability concern – May devalue businesses relying on license resale (e.g., when owners retire or sell)

Citywide License Cap (All Retailers). Establish a citywide cap on the total number of tobacco licenses, including accessory retailers. This approach may be phased in by allowing existing licenses to remain valid while ceasing to issue new licenses upon expiration or revocation (i.e., attrition model used in Bloomington).

- Pros:
  - Comprehensive control over total retailer density
  - Supports county public health goals more effectively
  - Could lead to long-term reduction in tobacco access

- Cons:
  - More politically sensitive and may face greater resistance from general retailers
  - Reduces flexibility for business development or expansion
  - Business transferability concern – May devalue businesses relying on license resale (e.g., when owners retire or sell)
  - Legal or administrative complexity around implementation and enforcement

Buffer from Youth-Sensitive Land Uses. Prohibit tobacco retailers within a certain distance (e.g., 500 feet) of schools, parks, daycare centers, and youth-oriented facilities. Several cities, such as Minneapolis, apply a 500-foot buffer from schools (could match cannabis or liquor).

- Pros:
  - Directly reduces youth exposure to tobacco sales and marketing
  - Supported by public health literature
  - Relatively easy to explain and defend publicly

- Cons:
  - May create legal nonconforming use issues for existing businesses within buffer zones
  - Could limit retail opportunities in densely developed areas

No Change to existing tobacco licensing ordinance.

- Pros:
  - Increased business and revenue
  - Greater consumer convenience
  - Alleviates burden on small retailers

- Cons:
  - No comprehensive control over total retailer density
  - Potential increased tobacco use, especially among youth
  - Heightened exposure to marketing for residents near tobacco retailers

<u>Next Steps</u>

If the council wishes to move forward, staff will prepare a draft ordinance amendment reflecting the considerations outlined below and contact current tobacco license holders.

- A proposed cap on exclusive tobacco shop licenses or all retail tobacco licenses.
- A definition of exclusive tobacco shops.
- Optional provisions for grandfathering existing licenses and phasing out over time.
- Potential 500 foot buffer zoning either matching the cannabis buffer or liquor buffer.

3. Budget Impact:

Not applicable.

4. Attachments:

1. Presentation
2. Peer Cities Survey
3. Current City Code
4. Liquor License Buffer Zones with Tobacco License Sales
5. Cannabis Buffer Zones with Tobacco License Sales
6. Peer Cities Buffer Zones

Tobacco Licensing Ordinance

October 28, 2025

City of Plymouth

Current Licensing Overview

- 38 Total Licensed Retailers
  - 4 Tobacco Only
  - 34 Accessory Retailers (e.g., gas stations, grocery stores, etc.)

Policy Considerations

Cap on Exclusive Tobacco Retailers Only

Pros	Cons
Targets businesses primarily focused on tobacco, limiting exposure without impacting general retail	Does not address total retail density if accessory retailers (e.g., gas stations, convenience stores) are not included
Easier to enforce and monitor a small number of businesses	May incentivize accessory retailers to increase tobacco focus to fill market demand
Aligns with peer cities (e.g. Maple Grove), making it a defensible and tested model	Reduces flexibility for business development or expansion
	Business transferability concern – May devalue businesses relying on license resale (e.g., when owners retire or sell)

Policy Considerations

Citywide License Cap (All Retailers)

Pros	Cons
Comprehensive control over total retailer density	More politically sensitive and may face greater resistance from general retailers
Supports county public health goals	Legal or administrative complexity around implementation and enforcement
Could lead to long-term reduction in tobacco access	Reduces flexibility for business development or expansion in underserved areas
	Business transferability concern-May devalue businesses relying on license resale

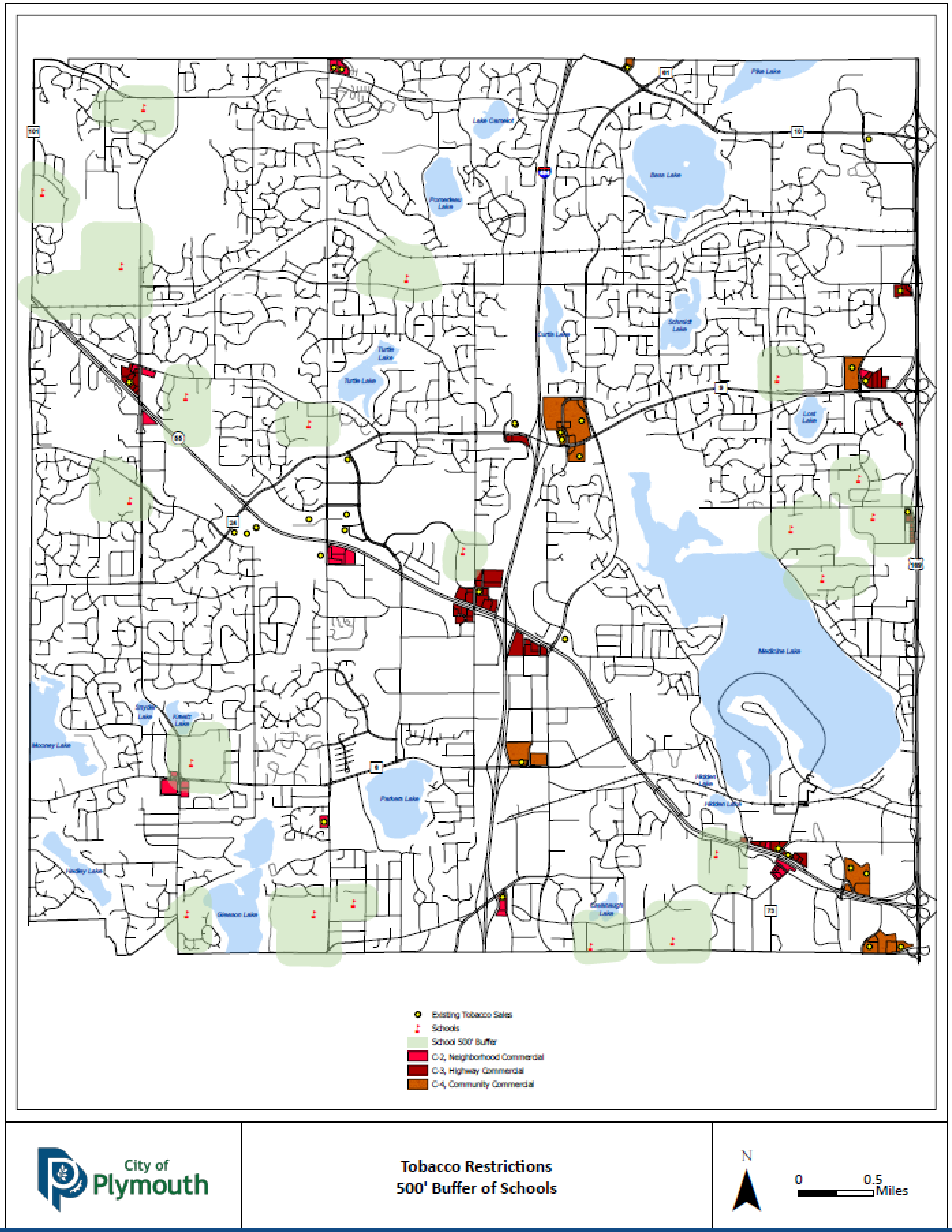
Buffer Options

Match Liquor Buffer	Match Cannabis Buffer
500 feet from: • Schools	500 feet from: • Schools • Residential treatment facilities • Park amenity regularly used by minors

Buffer Options – Liquor Buffer Map

500' buffer from:

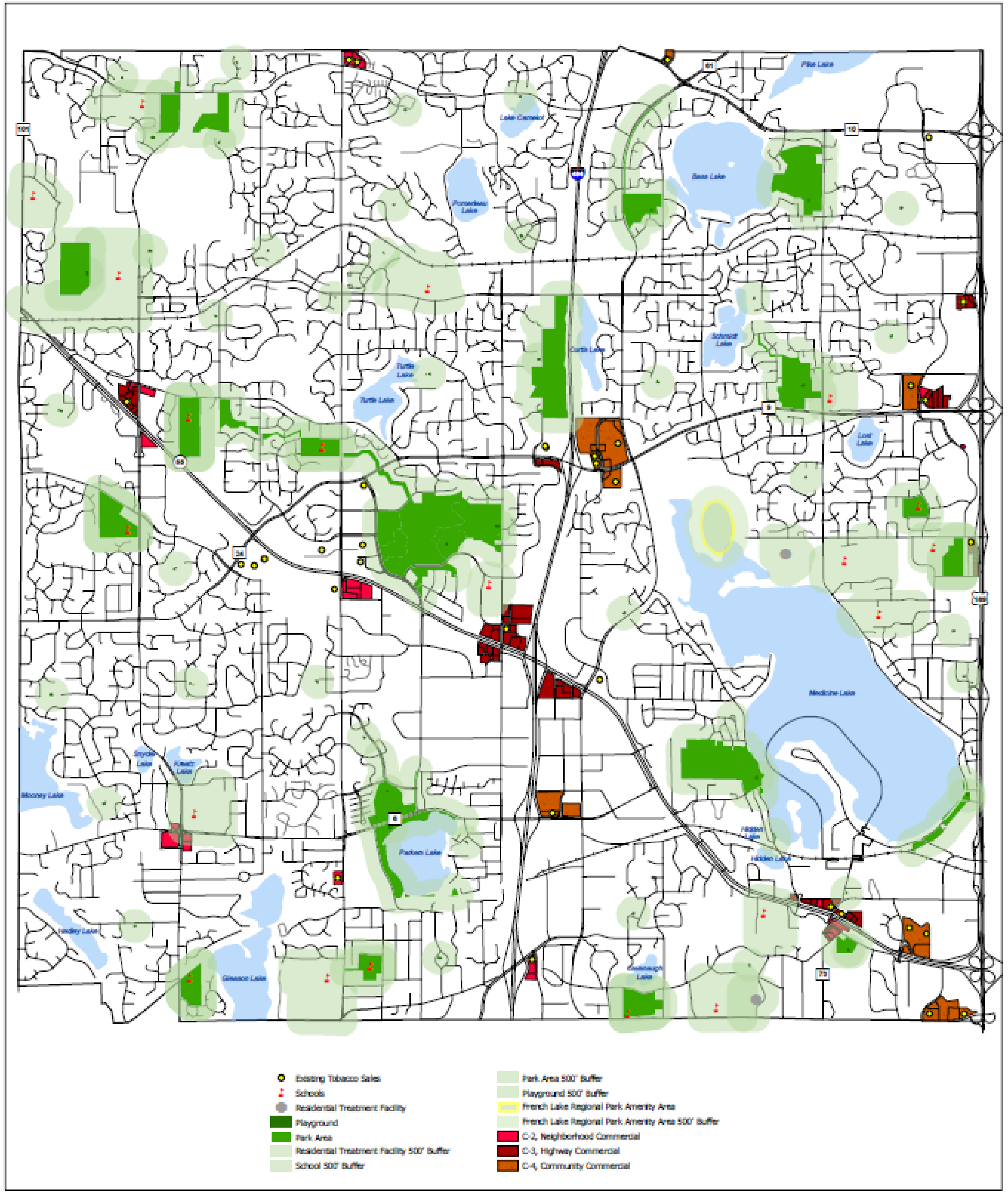
- Schools



Buffer Options – Cannabis Buffer

500' buffer from:

- Schools
- Residential facilities
- Park amenity regularly used by minors



City of Plymouth

Tobacco Restrictions
500' Buffer of Schools, Park Areas, Playgrounds, and Residential Treatment Facilities

N
0 0.5 Miles

Policy Considerations

Buffer from Youth-Sensitive Land Uses

Pros	Cons
Directly reduces youth exposure to tobacco sales and marketing	May create legal nonconforming use issues for existing businesses within buffer zones
Supported by public health literature	Could limit retail opportunities in densely developed areas
Relatively easy to explain and defend publicly	

Policy Considerations

No change to existing tobacco licensing ordinance

Pros	Cons
Increased business and revenue	No comprehensive control over total retailer density
Greater consumer convenience	Potential increased tobacco use, especially among youth
Alleviates burdens on small retailers	Heightened exposure to marketing for residents near tobacco retailers

Council Policy Considerations

- Does the council wish to amend the tobacco licensing ordinance?
- Does the council wish to cap exclusive tobacco shop licenses?
  - How many?
- Does the council wish to cap all tobacco retail licenses?
  - How many?
- If capping, does the council wish to allow a provision for grandfathering existing licenses and phasing out over time?
- Does the council wish to implement a 500-foot buffer zone?
  - Matching cannabis or liquor buffer or other?

Next Steps

- Prepare a draft ordinance per council direction
- Public engagement with license holders
- Research any other policy options per council direction

SECTION 1150. TOBACCO AND RELATED PRODUCTS

1150.01. Purpose and Intent.

Because the City recognizes that tobacco use has been shown to be the cause of several serious health problems which subsequently place a financial burden on all levels of government; this ordinance is intended to regulate the sale of tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products for the purpose of enforcing and furthering existing laws, and to protect minors and young adults against the serious effects associated with use and initiation.

The City also recognizes that the use of tobacco products has devastating health and economic consequences. Tobacco use is the foremost preventable cause of premature death in America. It causes half a million deaths annually and has been responsible for 20.8 million premature deaths in the U.S. over the past 50 years since the first Surgeon General's report on smoking in 1964. This leads to more than $300 billion in health care and lost worker productivity costs each year. In Minnesota, smoking was responsible for $3.39 billion in excess medical expenditures and the deaths of 6,312 individuals in 2014. The City further recognizes that young people are particularly susceptible to the addictive properties of tobacco products, and are particularly likely to become lifelong users. An estimated 5.6 million youth aged 0 to 17 are projected to die prematurely from a tobacco-related illness if prevalence rates to not change. National data show that about 95 percent of adult smokers begin smoking before they turn 21. The ages of 18 to 21 are a critical period when many smokers move from experimental smoking to regular, daily use. Electronic delivery device use among minors has recently tripled and high among youth. Young minds are particularly susceptible to the addictive properties of nicotine. As a result, approximately three out of four teen smokers end up smoking into adulthood. In 2015, the Institute of Medicine concluded that raising the minimum legal sales age for tobacco products nationwide will reduce tobacco initiation, particularly among adolescents aged 15 to 17, improve health across the lifespan, and save lives; and that raising the minimum legal sales age for tobacco products nationwide to 21 would, over time, lead to a 12 percent decrease in smoking prevalence. The Institute of Medicine also predicts that raising the minimum legal sales age for tobacco products nationwide to 21 would result in 223,000 fewer premature deaths, 50,000 fewer deaths from lung cancer, and 4.2 million fewer years of life lost for those born between 2000 and 2019, and would result in near immediate reductions in preterm birth, low birth weight, and sudden infant death syndrome. In making these findings, the City Council accepts the conclusions and recommendations of the U.S. Surgeon General reports, "E-cigarette Use Among Youth and Young Adults" (2016), "The Health Consequences of Smoking—50 Years of Progress" (2014) and "Preventing Tobacco Use Among Youth and Young Adults" (2012); a BlueCross BlueShield of Minnesota report, "Health Care Costs and Smoking in Minnesota: The Bottom Line" (2017); the Institute of Medicine in their study, "Public Health Implications of Raising the Minimum Age of Legal Access to Tobacco Products" (2015); the Centers for Disease Control and Prevention in their studies, "Tobacco Use Among Middle and High School Students—United States, 2011—2015," and "Selected Cigarette Smoking Initiation and Quitting Behaviors Among High School Students, United States, 1997"; and of the following scholars in these scientific journals: Xin Xu et al., Annual Healthcare Spending Attributable to Cigarette Smoking: An Update, Am. J. Prev. Med. 48(3): 326-33 (Mar. 2015); Giovino GA, "Epidemiology of Tobacco Use in the United States," Oncogene (2002) 21, 7326-40; Khuder SA, et al., "Age at Smoking Onset and its Effect on Smoking Cessation," Addictive Behavior 24(5):673-7, September-October 1999; D'Avanzo B, et al., "Age at Starting Smoking and Number of Cigarettes Smoked," Annals of Epidemiology 4(6):455-59, November 1994; Chen, J & Millar, WJ, "Age of Smoking Initiation: Implications for Quitting," Health Reports 9(4):39-46, Spring 1998; and Everett SA, et al., "Initiation of Cigarette Smoking and Subsequent Smoking Behavior Among U.S. High School Students," Preventive Medicine, 29(5):327-33, November 1999; copies of which are adopted by reference.

1150.02. Definitions.

For the purpose of this Section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Child-Resistant Packaging. Packaging that meets the definition set forth in Code of Federal Regulations, title 16, section 1700.15(b), as in effect on January 1, 2015, and was tested in accordance with the method described in Code of Federal Regulations, title 16, section 1700.20, as in effect on January 1, 2015.

Cigar. Any roll of tobacco that is wrapped in tobacco leaf or in any other substance containing tobacco, with or without a tip or mouthpiece, which is not a cigarette as defined in Minn. Stats. § 297F.01, subd. 3, as may be amended from time to time.

Compliance Checks. The system the City uses to investigate and ensure that those authorized to sell tobacco-related products are following and complying with the requirements of this ordinance. Compliance checks shall involve the use of persons under the age of 21 as authorized by this ordinance. Compliance checks shall also mean the use of persons under the age of 21 who attempt to purchase tobacco-related products for educational, research and training purposes as authorized by state and federal laws. Compliance checks may also be conducted by other units of government for the purpose of enforcing appropriate federal, state or local laws and regulations relating to tobacco-related products.

Electronic Delivery Device. Any product containing or delivering nicotine, lobelia, or any other substance intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of vapor from the product. Electronic delivery device includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vape pens, mods, tank systems, or under any other product name or descriptor. Electronic delivery device also includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device does not include any product that has been approved or certified by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is marketed and sold for such an approved purpose.

Individually Packaged. The practice of selling any tobacco product wrapped individually for sale. Individually wrapped tobacco products shall include but not be limited to single cigarette packs, single bags or cans of loose tobacco in any form, and single cans or other packaging of snuff or chewing tobacco. Cartons or other packaging containing more than a single pack or other container as described in this definition shall not be considered individually packaged.

Indoor Area. All space between a floor and a ceiling that is bounded by walls, doorways, or windows, whether open or closed, covering more than 50 percent of the combined surface area of the vertical planes constituting the perimeter of the area. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent.

Loosies. The common term used to refer to a single or individually packaged cigarette or any other tobacco product that has been removed from its packaging and sold individually. The term loosies does not include individual cigars with a retail price, before any sales taxes, of more than $2.00 per cigar.

Moveable Place of Business. Any form of business operated out of a truck, van, automobile or other type of vehicle or transportable shelter and not a fixed address store front or other permanent type of structure authorized for sales transactions.

Nicotine or Lobelia Delivery Product. Any product containing or delivering nicotine or lobelia intended for human consumption, or any part of such a product, that is not tobacco or an electronic delivery device as defined in this section. Nicotine or Lobelia Delivery Products do not include any product that has been approved or otherwise certified for legal sale by the United States Food and Drug Administration for tobacco use cessation, or for other medical purposes, and is being marketed and sold solely for that approved purpose.

Person. One or more natural persons; a partnership, including a limited partnership; a corporation, including a foreign, domestic or nonprofit corporation; a trust; a political subdivision of the state; or any other business organization.

Retail Establishment. Any place of business where tobacco-related products, are available for sale to the general public. The phrase shall include but not be limited to grocery stores, convenience stores, restaurants, and drug stores.

Sale. Any transfer of goods for money, trade, barter or other consideration.

Self-Service Merchandising. Open displays of tobacco-related products in any manner where any person shall have access to tobacco-related products without the assistance or intervention of the licensee or the licensee's employee. The assistance or intervention shall entail the actual physical exchange of the tobacco-related product between the customer and the licensee or employee. Self-service sales are interpreted as being any sale where there is not an actual physical exchange of the product between the clerk and the customer.

Smoking. Inhaling or exhaling smoke from any lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco or plant product. Smoking also includes carrying a lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco or plant product intended for inhalation.

Tobacco or *Tobacco Products.* Any product containing, made from, or derived from tobacco that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, or any component, part, or accessory of a tobacco product including, but not limited to cigarettes; cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; snus; Cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco does not include any tobacco product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for medical purposes, and is being marketed and sold solely for such an approved purpose.

Tobacco-Related Devices. A pipe, rolling papers, ashtray, or other device intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking of tobacco or otherwise ingesting of. Tobacco-related devices includes components of tobacco-related devices which may be marketed or sold separately.

Tobacco-Related Product. Any tobacco, tobacco-related device, electronic delivery device, or nicotine or lobelia delivery product, as those terms are defined in this section.

Vending Machine. Any mechanical, electric or electronic, or other type of device which dispenses tobacco-related products or tobacco-related devices upon the insertion of money, tokens or other form of payment directly into the machine by the person seeking to purchase tobacco-related products.

1150.03. License.

Subd. 1. **License Required.** No person shall sell or offer to sell any tobacco-related product without first having obtained a license to do so from the City.

Subd. 2. **Application.** An application for a license to sell, tobacco-related products, shall be made on a form provided by the City. The application shall contain the full name of the applicant, the applicant's residential and business addresses and telephone numbers, the name of the business for which the license is sought, and any additional information the City deems necessary. Upon receipt of a completed application, the City Clerk shall forward the application to the City Council for action at its next regularly scheduled City Council meeting. If the City Clerk shall determine that an application is incomplete, he or she shall return the application to the applicant with notice of the information necessary to make the application complete.

Subd. 3. **Action.** The City Council may either approve or deny the license, or it may delay action for a reasonable period of time as necessary to complete any investigation of the application or the applicant it deems necessary. If the City Council shall approve the license, the City Clerk shall issue the license to the applicant. If the City Council denies the license, notice of the denial shall be given to the applicant along with notice of the applicant's right to appeal the City Council's decision.

Subd. 4. **Term.** All licenses issued under this section shall be valid for one calendar year from the date of issue except that initial licenses shall expire on December 31 of the year they are issued.

Subd. 5. **Revocation or Suspension.** Any license issued under this Section may be revoked or suspended as provided in Section 1150.12.

Subd. 6. **Transfers.** All licenses issued under this Section shall be valid only on the premises for which the license was issued and only for the person to whom the license was issued. No transfer of any license to another location or person shall be valid without the prior approval of the City Council.

Subd. 7. **Moveable Place of Business.** No license shall be issued to a moveable place of business. Only fixed location businesses shall be eligible to be licensed under this Section.

Subd. 8. **Display.** All licenses shall be posted and displayed in plain view of the general public on the licensed premises.

Subd. 9. **Renewals.** The renewal of a license issued under this Section shall be handled in the same manner as the original application. The request for a renewal shall be made at least 30 days but no more than 60 days before the expiration of the current license.

Subd. 10. **Issuance as Privilege and Not a Right.** The issuance of a license issued under this Section shall be considered a privilege and not an absolute right of the applicant and shall not entitle the holder to an automatic renewal of the license.

Subd. 11. **Smoking.** Smoking shall not be permitted and no person shall smoke within the indoor area of any establishment with a retail tobacco license. This includes, but is not limited to, smoking for the purpose of sampling tobacco-related products.

Subd. 12. **Age Verification.** Licensees shall verify by means of government-issued photographic identification that the purchaser of tobacco-related products is at least 21 years of age. Verification is not required for a person over the age of 30. That the person appeared to be 30 years of age or older shall not constitute a defense to a violation of this subsection.

Subd. 13. **Signage.** Notice of the legal sales age and the age verification requirement shall be posted at each location where tobacco-related products are offered for sale. The required signage, which will be provided to the licensee by the City, shall be posted in a manner so that it is clearly visible to anyone who is considering or making a purchase.

1150.04. License Fee; Term; Date.

The fee for a license is set by Chapter X.

1150.05. Prohibited Acts.

A. It shall be a violation of this Section for any person to sell or offer to sell any tobacco-related product:

1. To any person under the age of 21 years.

2. By means of any type of vending machine.

3. By means of self-service methods whereby the customer does not need to make a verbal or written request to an employee of the licensed premises in order to receive the tobacco-related product, and whereby there is not a physical exchange of the tobacco-related product between the licensee, or the licensee's employee, and the customer.

4. By means of loosies.

5. Containing opium, morphine, jimson weed, belladonna, strychnos, cocaine, or other deleterious, hallucinogenic, toxic or controlled substances except nicotine and other substances found naturally in tobacco or added as part of an otherwise lawful manufacturing process. It is not the intention of this provision to ban the sale of lawfully manufactured cigarettes or other tobacco products.

6. In the form of liquid, whether or not such liquid contains nicotine, which is intended for human consumption and use in an electronic delivery device, in packaging that is not child-resistant. Upon request, a licensee must provide a copy of the certificate of compliance or full laboratory testing report for the packaging used.

7. By other means, to any other person, on in any other manner or form prohibited by federal, state or other local law, ordinance provision, or other regulation.

(Ord. No. 2024-25, § 1, 11/26/2024)

1150.06. Other Illegal Acts.

Unless otherwise provided, the following acts shall be a violation of this Section:

Subd. 1. **Illegal Sales.** It shall be a violation of this Section for any person to sell or otherwise provide any tobacco-related product, to any person under the age of 21.

Subd. 2. **Illegal Procurement.** It shall be a violation of this Section for any person to purchase or otherwise obtain those items on behalf of a person under the age of 21. It shall further be a violation for any person to coerce or attempt to coerce a person under the age of 21 to illegally purchase or otherwise obtain or use any tobacco-related product.

1150.07. Basis for Denial of License.

Grounds for denying the issuance or renewal of a license under this Section include but are not limited to the following:

1. The applicant is under the age of 21 years.

2. The applicant has been convicted within the past five years of any violation of a federal, state, or local law, ordinance provision, or other regulation relating to tobacco-related products.

3. The applicant has had a license to sell tobacco-related products revoked within the preceding 12 months of the date of application.

4. The applicant fails to provide any information required on the application, or provides false or misleading information.

5. The applicant is prohibited by federal, state, or other local law, ordinance, or other regulation from holding a license.

1150.08. Self-Service Sales.

It is unlawful for a licensee under this Section to allow the sale of tobacco-related products by any means whereby the customer may have access to those items without having to request the item from the licensee or the licensee's employee and whereby there is not a physical exchange of tobacco-related products between the licensee or his or her clerk and the customer. All tobacco-related products shall either be stored behind a counter or other area not freely accessible to customers, or in a case or other storage unit not left open and accessible to the general public.

1150.09. Responsibility.

All licensees under this Section shall be responsible for the actions of their employees in regard to the sale of tobacco-related products, on the licensed premises, and the sale of an item by an employee shall be considered a sale by the license holder. Nothing in this Section shall be construed as prohibiting the City from also subjecting the clerk to whatever penalties are appropriate under this Section, state or federal law, or other applicable law or regulation.

1150.10. Compliance Checks and Inspections.

All licensed premises shall be open to inspection by the City policy or other authorized City official during regular business hours. From time to time, but at least once per year, the City shall conduct compliance checks by engaging, with persons over the age of 17 years but less than 21 years to enter the licensed premises to attempt to purchase tobacco-related products. Persons under the age of 18 that are engaged by the City to enter licensed premises for these compliance checks shall do so only with the written consent of their parents or guardians. Person under the age of 21 used for the purpose of compliance checks shall be supervised by City designated law enforcement officers or other designated City personnel. Persons under the age of 21 used for compliance checks shall not be guilty of unlawful possession of tobacco-related products when those items are obtained as a part of the compliance check. No person under the age of 21 used in compliance checks shall attempt to use a false identification misrepresenting the person's age, and all persons under the age of 21 lawfully engaged in a compliance check shall answer all questions about the person's age asked by the licensee or his or her employee and shall produce any identification, if any exists, for which he or she is asked. Nothing in this Section shall prohibit compliance checks authorized by state or federal laws for educational, research, or training purposes, or required for the enforcement of a particular state or federal law.

(Ord. No. 2022-09, § 3, 6/28/2022)

1150.11. Exceptions and Defenses.

Nothing in this Section shall prevent the providing of tobacco-related products to a person under 21 as part of a lawfully recognized religious, spiritual, or cultural ceremony. It shall be an affirmative defense to the violation of this Section for a person to have reasonably relied on proof of age as described by state law.

1150.12. Violations.

A. *Petty Misdemeanors.* Any person who violates this ordinance shall be guilty of a petty misdemeanor unless the violation has a specific penalty designated by state law.

B. *Administrative Civil Penalties; Individuals.* An individual who sells tobacco-related products to a person under the age of 21 years shall be subject to an administrative penalty of $50.00. No penalty may be imposed until the individual has received notice, served personally or by mail, of the alleged violation and an opportunity for a hearing before the Chief of Police or his/her designee. A decision that a violation has occurred must be in writing.

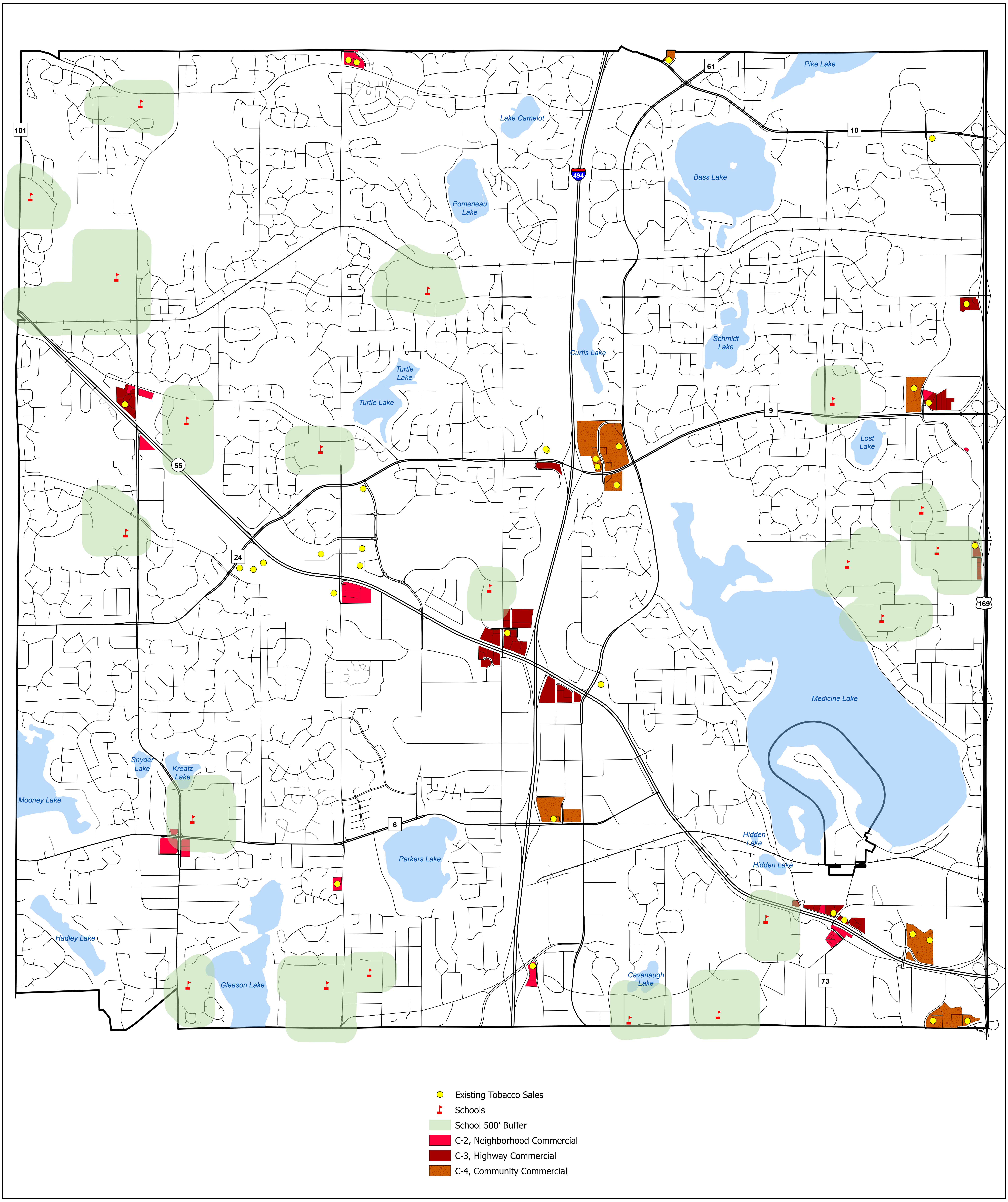
C. *Administrative Civil Penalties; Licensee.* If a licensee or an employee of a licensee sells, gives, or otherwise furnishes tobacco, tobacco-related devices, electronic delivery devices, or nicotine or lobelia delivery products to a person under the age of 21 years, or violates any other provision of this Chapter, the licensee shall be subject to an administrative penalty as follows:

Offense	Minimum (State)	Presumptive Penalty (City)	Maximum (City/State)
1st Violation	$300.00 and/or 0 days suspension	$500.00 fine and 5-day suspension stayed	$2,000.00 and/or 60-days suspension
2nd Violation (within 36 months)	$600.00 and/or 0 days suspension	$750.00 fine and 5-day suspension	$2,000.00 and/or 60-days suspension
3rd Violation (within 36 months)	$1,000.00 and 7 days suspension	$1,000.00 fine and 10-day suspension	$2,000.00 and/or 60 days suspension
4th Violation (within 36 months)	None listed	Revocation	Revocation

No suspension, revocation, or other penalty may take effect until the licensee has received notice, served personally or by mail, of the alleged violation and an opportunity for a hearing before a person authorized by the licensing authority to conduct the hearing. A decision that a violation has occurred must be in writing.

D. *Defense.* It is a defense to the charge of selling tobacco-related products to a person under the age of 21 years, that the licensee or individual, in making the sale, reasonably and in good faith relied upon representation of proof of age described in Minnesota Statutes, section 340A.503, subdivision 6, paragraph (a).

(Ord. 96-4, 2/21/96; Ord. 97-15, 7/23/97; Ord. 99-16, 6/1/99; Ord. 2001-08, 2/27/2001; Ord. 2001-29, 8/14/2001; Ord. 2009-16, 10/13/2009; Ord. 2011-11, 4/26/2011; Ord. 2011-29, 10/25/2011; Ord. 2014-09, 2/11/2014; Ord. 2017-23, 11/28/2017; Ord. 2017-25, 11/28/2017; Ord. No. 2020-13, § 3, 10/13/2020; Ord. No. 2022-09, § 4, 6/28/2022)

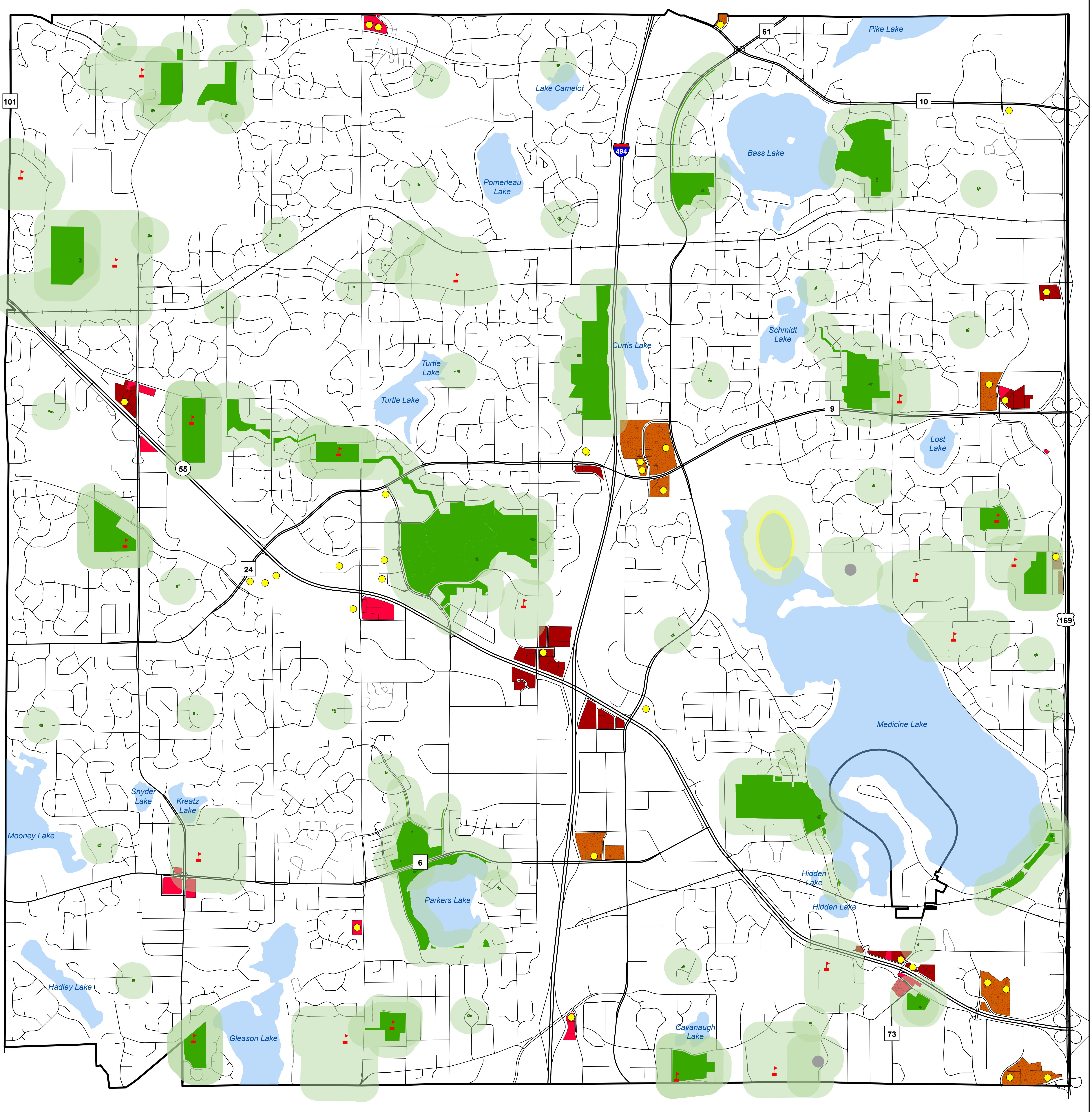


City of Plymouth

Tobacco Restrictions
500' Buffer of Schools

N

0 0.5 Miles



- Existing Tobacco Sales
- Schools
- Residential Treatment Facility
- Playground
- Park Area
- Residential Treatment Facility 500' Buffer
- School 500' Buffer
- Park Area 500' Buffer
- Playground 500' Buffer
- French Lake Regional Park Amenity Area
- French Lake Regional Park Amenity Area 500' Buffer
- C-2, Neighborhood Commercial
- C-3, Highway Commercial
- C-4, Community Commercial

City of Plymouth

Tobacco Restrictions 500' Buffer of Schools, Park Areas, Playgrounds, and Residential Treatment Facilities

N

0 0.5 Miles

Peer Cities Buffer Zones

Arden Hills-None

Blaine-None

Bloomington-None

Brooklyn Park-500 feet from schools- exclusive shops

Burnsville-None

Champlin-None

Columbia Heights-None

Coon Rapids-None

Cottage Grove-None

Crystal-None

Edina-None

Eden Prairie-None

Golden Valley-None

Hopkins-None

Little Canada- 500 feet of any house of worship, or youth-oriented facility-all license types

Maple Grove-None

Maplewood-None

Minnetonka- 2,000 feet away from the property line of a school-exclusive tobacco store

New Brighton- 1,000 feet of a youth-oriented facility-tobacco products shop

New Hope-None

Oak Grove-None

Ramsey-None

Richfield-None

Robbinsdale-Two tobacco products shops cannot be within one half mile of the other.

Rogers-None

St. Louis Park-None

Vadnais Heights-None

White Bear Lake-None

Woodbury-None

City of Plymouth

Special City Council
January 27, 2026
Agenda Number: 2.4

To: Dave Callister, City Manager

Prepared by: Jodi Gallup, City Clerk

Reviewed by: Amanda Kaufman, Deputy City Manager

Item: **Set future study sessions**

---

1. Action Requested:

Schedule study sessions and/or add topics as desired.

2. Background:

Pending study session topics (at least three council members have approved the following items on the list):

- None at this time

Staff requests for meeting topics and/or changes:

- Review policy on request for proposals and discuss proposed amenities at Four Seasons Regional Sports Complex on March 10 at 5 p.m.

3. Budget Impact:

Not applicable.

4. Attachments:

1. Calendar

City of Plymouth

February 2026

SUN	MON	TUES	WED	THUR	FRI	SAT
1	2	3	4 7:00 PM PLANNING COMMISSION MEETING Council Chambers	5	6	7
8	9	10 5:00 PM SPECIAL COUNCIL MEETING Traffic update Medicine Lake Room 7:00 PM REGULAR COUNCIL MEETING Council Chambers	11 7:00 PM ENVIRONMENTAL QUALITY COMMITTEE MEETING Medicine Lake Room	12 6:00 PM PARKS & REC ADVISORY COMMISSION MEETING Council Chambers	13	14
15	16  PRESIDENTS DAY CITY OFFICES CLOSED	17	18 7:00 PM PLANNING COMMISSION MEETING Council Chambers	19	20	21
22	23	24 5:30 PM Voluntary Advisory Board Recognition Event City Hall Lobby 7:00 PM REGULAR COUNCIL MEETING Council Chambers	25	26 7:00 PM HOUSING AND REDEVELOPMENT AUTHORITY MEETING Council Chambers	27	28

3400 Plymouth Boulevard
Plymouth, MN 55447

OFFICIAL CITY CALENDAR

763-509-5000
plymouthmn.gov

*Per MN Statute 13D.02, members may be attending remotely.

City of Plymouth

March 2026

SUN	MON	TUES	WED	THUR	FRI	SAT
1	2	3	4 7:00 PM PLANNING COMMISSION MEETING Council Chambers	5	6 COUNCIL WORKSHOP Plymouth Community Center	7
8	9	10 7:00 PM REGULAR COUNCIL MEETING Council Chambers	11 7:00 PM ENVIRONMENTAL QUALITY COMMITTEE MEETING Medicine Lake Room	12 6:00 PM PARKS & REC ADVISORY COMMISSION MEETING Council Chambers	13	14
15	16	17	18 7:00 PM PLANNING COMMISSION MEETING Council Chambers	19	20	21
22	23	24 7:00 PM REGULAR COUNCIL MEETING Council Chambers	25	26 7:00 PM HOUSING AND REDEVELOPMENT AUTHORITY MEETING Council Chambers	27	28
29	30	31				

3400 Plymouth Boulevard
Plymouth, MN 55447

OFFICIAL CITY CALENDAR

763-509-5000
plymouthmn.gov

*Per MN Statute 13D.02, members may be attending remotely.

City of Plymouth

April 2026

SUN	MON	TUES	WED	THUR	FRI	SAT
			1 7:00 PM PLANNING COMMISSION MEETING Council Chambers	2	3	4
5	6	7	8 7:00 PM ENVIRONMENTAL QUALITY COMMITTEE MEETING Medicine Lake Room	9	10	11
12	13 5:00 PM SPECIAL COUNCIL MEETING Review park dedication and park replacement funds Medicine Lake Room 7:00 PM REGULAR COUNCIL MEETING Council Chambers	14	15 7:00 PM PLANNING COMMISSION MEETING Council Chambers	16	17	18
19	20	21	22 10:00 AM DESTINATION MARKETING ORGANIZATION ADVISORY BOARD MEETING Mooney Lake Room	23 7:00 PM HOUSING AND REDEVELOPMENT AUTHORITY MEETING Council Chambers	24	25
26	27	28 7:00 PM REGULAR COUNCIL MEETING Council Chambers	29	30		

*Per MN Statute 13D.02, members may be attending remotely.