

RESOLUTION #CC-26-07-06-01

**RESOLUTION OF THE NEW PRAGUE CITY COUNCIL APPROVING
CONDITIONAL USE PERMIT #C1-2026 TO ALLOW FOR A CANNABIS
CULTIVATION BUSINESS AT 100 2ND AVE SW IN THE I-1 LIGHT INDUSTRIAL
ZONING DISTRICT, AS PROPOSED BY BOLD NORTH HEMP, LLC.**

WHEREAS, Bold North Hemp, LLC, applicant, regarding the following real estate in the County of Le Sueur to wit:

See Attachment A.

is requesting a Conditional Use Permit to allow for a cannabis cultivation business in the I-1 Light Industrial Zoning District in the old mill property, which has the address of 100 2nd Ave SW, at the specific business address of 206 2nd Ave SW; and,

WHEREAS, the New Prague Planning Commission has finished a review of the application and made a report pertaining to said request (#C1-2026), a copy of said report has been presented to the City Council; and,

WHEREAS, the New Prague Planning Commission on the 24th day of June, 2026, following property notice held a public hearing regarding the request, and following due consideration of presented testimony and information, voted **unanimously (4-0)** to forward the matter to the City Council with a recommendation for approval subject to the findings and conditions contained in staff report #C1-2026 and as amended at the Planning Commission Meeting; and,

WHEREAS, the New Prague City Council finds the following for the Conditional Use Permit:

- A. The proposed use will not create an excessive burden on existing parks, schools, streets, and other public facilities which serve the area because of the limited staffing that the building will employ, because the proposed use will not have an impact on wastewater beyond the typical office wastewater amounts, and because the building will not have any retail creating traffic from customers.
- B. The proposed use will be sufficiently compatible with adjacent residentially zoned or used land as to not depreciate existing homes or vacant land because it will have minimal impacts to the exterior of the existing mill building, and odor mitigation technology will be utilized such as to not create a nuisance from the smell of cannabis, with additional conditions applied in case the odor mitigation technology is not sufficient.
- C. The proposed use will not have an adverse effect upon adjacent residential properties as it will have a minimal impact on the exterior of the existing mill building, and odor

mitigation technology will be utilized such as to not create a nuisance from the smell of cannabis, with additional conditions applied in case the odor mitigation technology is not sufficient.

- D. The proposed use is reasonably related to the overall needs of the City and to existing land use as cannabis cultivation is a conditional use in the I1 Light Industrial Zoning District, and it will promote business in-fill in a portion of the Old Mill that is otherwise currently unutilized.
- E. The proposed use is consistent with the purposes of the Zoning Ordinance and the purposes of the zoning district it is in as cannabis cultivation is a conditional use within the I1 Light Industrial Zoning District.
- F. The proposed use is consistent with the Comprehensive Plan as the property is guided as Light Industrial within the Comprehensive Plan.
- G. The proposed use will not cause traffic hazard or congestion as the proposed use will have relatively few employees, and would not have daily or weekly shipping and receiving outside of a short harvesting period four times a year, which is still at a lower volume than would cause traffic hazard or congestion.
- H. The proposed use will have adequate utilities, access roads, drainage, and necessary facilities because the proposed use will not create a significant increase on traffic, they will haul out cultivation-related wastewater rather than send it to the City's wastewater treatment plant, and because the facility has adequate electric and water facilities with additional conditions imposed stating that they must continue to haul out wastewater and follow all best management practices and that they must pay all costs associated with establishing electrical services.

WHEREAS, the New Prague City Council approves the request for a Conditional Use Permit with the following conditions:

1. Approval of this Conditional Use Permit is contingent upon proof of a valid final license from the Minnesota Office of Cannabis Management prior to operation. Failure to operate in compliance with Minnesota Statutes and Rules governing cannabis microbusinesses shall be grounds for termination of this Conditional Use Permit.
2. If the license from the Office of Cannabis Management for this property is ever to be revoked or suspended, the City will proceed with revocation of this Conditional Use Permit.
3. The property must meet all requirements of the Building Official and of the Minnesota State Building code prior to occupancy and operation.
4. All recommendations of the City Engineer, Public Works Department, Utilities Department, Building Official, Police Department, and Fire Department must be complied with prior to final occupancy of the site.
5. The property must be in compliance with Minnesota State Rule 9810.1500 as it may be amended from time to time, and any other federal, state, or local laws concerning security at a cannabis business, at all times.
6. Retail sale of cannabis at the site is prohibited.
7. Access to all trash receptacles shall be locked and secured at all times.
8. All activities shall be fully contained within the structure. No outdoor activities or exterior storage is permitted without amendments to this Conditional Use Permit.

9. Prior to operation and final occupancy of the site, the applicant shall set up a pretreatment agreement with the New Prague Public Works Department regarding the water usage of the site.
10. All wastewater that is created from cannabis cultivation activities, which includes but is not limited to the growing, watering, fertilizing, drying, and processing of cannabis, shall be stored and hauled away rather than sent to the municipal wastewater treatment plant.
11. The site shall, at all operating hours, be open to inspection by the City Public Works Department, Utilities Department, Building Official, Police Department, Fire Department, and any other duly authorized representatives of the City to determine whether this Conditional Use Permit and all other rules, laws, and regulations are being observed.
12. The applicant shall be responsible for all fees and costs incurred by the City for any establishment of electrical service to the site.
13. The installed odor mitigation system must follow all manufacturer required maintenance for the system, and the applicant must provide the name and contact information of an on-site contact to respond within 3 hours to odor complaints received directly at the site or by City Staff.
14. The odor mitigation system must be developed and signed off by a licensed professional engineer or certified industrial hygienist prior to the final certification of occupancy being issued.
15. If five substantiated odor complaints are received by the City within any three month time period, an odor mitigation correction plan must be submitted to the City within 30 days of written notice, which must be approved by City Council. For an odor complaint to be substantiated, the City shall send out all three Staff as follows: the Building Official, Community Development Director, Police Chief, or a representative designated by any of the three to the site, to determine whether there is an unreasonably strong, unavoidable cannabis-related odor that can be detected from the property line of the site. The City Representatives shall then return 3 hours later to determine if the odor has dissipated, at which point, if it has not dissipated or if it has gotten stronger, the Representative shall make note of the substantiated odor complaint and will inform the applicant.
16. The applicant shall reimburse the City for all fees and costs it incurs from processing, reviewing, and acting on the application approved herein, including but not necessarily limited to any fees charged by the City's professional consultants in accordance with established rates.
17. The property shall be subject to all requirements of the New Prague City Code and shall otherwise comply with all other applicable federal, state, and local laws, rules, and regulations.

NOW, THEREFORE BE IT RESOLVED, by the City Council of New Prague, Minnesota, that the request for Conditional Use Permit #C1-2026 to allow for a cannabis cultivation business at 100 2nd Ave SW, as proposed by Bold North Hemp, LLC, is hereby **approved** based on the above findings and with the above conditions.

This Conditional Use Permit is approved, effective immediately upon its passage and without publication.

Passed this 6th day of July, 2026.

Charles L. Nickolay, Mayor

State of Minnesota)

)ss.

(CORPORATE ACKNOWLEDGMENT)

County of Scott & Le Sueur)

Subscribed and sworn before me, a Notary Public this _____ day of _____, 2026.

Notary Public

ATTEST: _____
Joshua M. Tetzlaff, City Administrator

State of Minnesota)

)ss.

(CORPORATE ACKNOWLEDGMENT)

County of Scott & Le Sueur)

Subscribed and sworn before me, a Notary Public this _____ day of _____, 2026.

Notary Public

THIS INSTRUMENT DRAFTED BY:

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