

(b) Vegetation Alterations

Vegetation removal in a Shore Impact Zone or Bluff Impact Zone is prohibited as follows:

- (i) Trees—other than Buckthorn—that are greater than six (6) inches in diameter measured two (2) feet above the ground may not be removed or intentionally killed by any person.
- (ii) Protected Tree that have the “status “of dead, diseased, insect-infested, rotted, or are so damaged by natural events as to be hazardous, may be removed with one of the following:
 - 1. The property owner files with the City Clerk prior to removal a written opinion of a Minnesota licensed arborist stating that removal is advisable because the tree constitutes a hazard to persons or property. Such opinion must be based only on the Protected Tree’s “status”, or
 - 2. The property owner obtains approval the City Council stating removal is advisable because the tree constitutes a hazard to persons or property based on the protected tree’s “status” or without regard to the “status” that the Protected Tree removal is necessary to protect the public health or safety.
- (iii) Intensive vegetation clearing of a contiguous area exceeding one hundred (100) square feet is prohibited except as may be necessary for the construction of structures, other permitted uses, or Essential Services.

(c) Topographic Alterations, Grading, and Filling

Any grading or filling of the natural topography of a lot in excess of that normally required for the construction of a structure or for normal yard maintenance, as determined by the City Engineer, shall be subject to all applicable State Statutes, Rules, and rules of the Minnehaha Creek Watershed District in addition to the following standards.

(i) In General

- 1. Except for routine yard maintenance or gardening, no filling or grading, shall be allowed within protected Wetland areas, below the floodplain of Lake Minnetonka, on any lands within twenty-five (25) feet of a Wetland, or on any land within seventy-five (75) feet of the Ordinary High-Water Level of Lake Minnetonka.