

99012047111000, 99012047111000

Paying the contribution to reimbursement of costs for compensatory measures

Heruntergeladen am 08.07.2025

<https://fimportal.de/xzufi-services/346994074/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99012047111000, 99012047111000
Leistungsbezeichnung I	Paying the contribution to reimbursement of costs for compensatory measures
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Hessen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Baurecht (012)
Verrichtungskennung	Erhebung (111)
SDG-Informationsbereich	

Modul	Sachverhalt
Lagen Portalverbund	Tier-, Pflanzen- und Naturschutz (2130200), Hausbau und Immobilienerwerb (1050100), Bauplanung (2050400)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	<p>Statutes of the municipality or city</p> <p>https://www.gesetze-im-internet.de/bbaug/BJNR003410960.html#BJNR003410960BJNG006302301</p> <p>https://www.rv.hessenrecht.hessen.de/bshe/document/jlr-KAGHE2013V2P11/format/xsl?oi=X6ATa5z54E&sourceP=%7B%22source%22%3A%22TOC%22%7D&docAcc=true</p> <p>https://www.gesetze-im-internet.de/bbaug/BJNR003410960.html#BJNR003410960BJNG006302301</p> <p>https://www.rv.hessenrecht.hessen.de/bshe/document/jlr-KAGHE2013V2P11/format/xsl?oi=X6ATa5z54E&sourceP=%7B%22source%22%3A%22TOC%22%7D&docAcc=true</p>
Teaser	
Volltext	<p>Construction measures often represent interventions in nature and landscape. This is particularly the case if they change the shape or use of base areas and thereby significantly impair the performance and functionality of the ecosystem or the landscape (§ 14 para. 1 Federal Nature Conservation Act - BNatSchG).</p> <p>Under Paragraph 15(1) and (2) of the BNatSchG, the perpetrators of an interference are obliged to:</p> <ul style="list-style-type: none"> • to refrain from avoidable impairments of nature and landscape and • to compensate for unavoidable adverse effects with nature conservation and landscape management measures (compensatory measures) or to replace them (compensatory measures). <p>However, this does not apply to projects that fall within the scope of a development plan (§ 18 para. 2</p>

Modul
Sachverhalt

BNatSchG).

For this reason, the intervention regulation under the BNatSchG must already be taken into account in urban land-use planning and, for example, an ecological compensation must be created for the sealing of open spaces in favour of residential or commercial development elsewhere. In the urban land-use plan, the expected interventions in nature and landscape must be presented and evaluated. As a rule, it is necessary to lay down compensatory and replacement measures to compensate for the resulting interventions in nature and landscape. Compensatory measures can be, for example, the planting/sowing of woody plants, herbs and grasses, the renaturation of still and flowing waters or measures for groundwater recharge.

If these compensatory measures are not imposed on the plots of land on which interventions in nature and the landscape are to be expected, but elsewhere, the municipality shall implement them instead of and at the expense of the project developers or the owners of the land and shall also provide the necessary areas for this purpose, unless this is secured in another way (§ 135a(2) BauGB). In this case, a reimbursement of costs will be charged to cover the expenses incurred for the implementation of the measures.

The reimbursable expense is determined on the basis of the actual costs incurred.

The reimbursable expense shall include the costs of:

- the acquisition and transfer of use as well as the clearance of the land for the compensatory measure,
- the compensatory measure, including its planning, maintenance of completion and development.

The recoverable expenses shall be distributed among the plots of land to which the compensatory measure is allocated.

Erforderliche Unterlagen

None

Modul	Sachverhalt
Voraussetzungen	
Kosten	<p>The amount of the reimbursement amounts to be settled depends on the type of measure and its production costs. The reimbursable expenses shall be:</p> <ol style="list-style-type: none"> 1. divided by the permissible floor area of the plots allocated by the development plan, and 2. multiplied by the individual permitted base areas of the plots. <p>The result is the cost reimbursement amount per plot.</p>
Verfahrensablauf	
Bearbeitungsdauer	
Frist	<p>The obligation to reimburse costs arises upon termination of the implementation of the compensatory measure, but at the earliest as soon as the land on which the interventions are to be expected may be used for construction or commercial purposes.</p>
weiterführende Informationen	
Hinweise	
Rechtsbehelf	
Kurztext	
Ansprechpunkt	To the municipal or city administration.
Zuständige Stelle	
Formulare	
Ursprungsportal	<p>Kostenerstattungsbeitrag für Ausgleichsmaßnahmen zahlen, Paying the contribution to reimbursement of costs for compensatory measures</p>