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Applying for an exemption from a change ban to safeguard urban land-use planning

Heruntergeladen am 22.07.2025

<https://fimportal.de/xzufi-services/8968967/L100039>

Modul	Sachverhalt
Leistungsschlüssel	99012097276000
Leistungsbezeichnung I	Applying for an exemption from a change ban to safeguard urban land-use planning
Leistungsbezeichnung II	Applying for an exemption from a change ban to safeguard urban land-use planning
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Rheinland-Pfalz
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	fachlich freigegeben (gold)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Baurecht (012)
Verrichtungskennung	Ausnahmegenehmigung (276)
SDG-Informationsbereich	Kauf und Verkauf von Immobilien, einschließlich aller

Modul	Sachverhalt
	Bedingungen und Pflichten im Zusammenhang mit der Besteuerung, dem Eigentum oder der Nutzung von Immobilien (auch als Zweitwohnsitz)
Lagen Portalverbund	Hausbau und Immobilienerwerb (1050100), Bauplanung (2050400)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	15.04.2025
Fachlich freigegeben durch	Ministry of Finance Rhineland-Palatinate
Handlungsgrundlage	https://www.gesetze-im-internet.de/bbaug/_14.html https://www.gesetze-im-internet.de/bbaug/_14.html https://landesrecht.rlp.de/jportal/?quelle=jlink&query=StrG+RP&psml=bsrlpprod.psml https://landesrecht.rlp.de/jportal/?quelle=jlink&query=StrG+RP&psml=bsrlpprod.psml
Teaser	Are you planning a building project on a plot of land that is currently subject to a change ban to safeguard urban land-use planning? Then you can apply for a special permit if there are no overriding public interests to the contrary.
Volltext	<p>You can obtain an exemption from the change ban for your building project to safeguard the urban land-use planning if there are no overriding public interests to the contrary. The building permit authority will decide together with the municipality whether to approve your exception.</p> <p>Examples of public interests:</p> <ul style="list-style-type: none"> • Monument protection • nature conservation • environmental protection • Townscape and landscape <p>The following can be affected by a change ban:</p> <ul style="list-style-type: none"> • Construction, modification and change of use of buildings, • large-scale backfilling and excavation,

Modul

Sachverhalt

- excavations, deposits including storage sites,
- the removal of structures,
- significant or substantially value-enhancing changes to land and buildings, insofar as these are not subject to approval, consent or notification.

The change ban does not apply:

- Projects that were approved under building law before the change ban came into force.
- Projects of which the municipality is aware and the execution of which could have begun before the change ban came into force.
- Maintenance work and the continuation of a previously practiced use.

For building projects

- in formally defined redevelopment areas or
- in urban development areas

are subject to different regulations than building projects that are affected by a change ban to safeguard urban development planning. In this case, the building project must be approved by the municipality.

A change ban serves to safeguard urban land-use planning, particularly for major transportation construction projects. Once the plans have been examined in a planning approval procedure, no changes may be made by third parties on the areas affected by the planning that would increase the value or significantly impede the planned construction work. This does not apply to changes that have been started beforehand in a legally permissible manner, maintenance work and the continuation of a previous use.

Erforderliche Unterlagen

Voraussetzungen

Kosten

There are no costs.

Verfahrensablauf

Modul	Sachverhalt
Bearbeitungsdauer	
Frist	There is no deadline.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	<ul style="list-style-type: none"> • Contradiction
Kurztext	<ul style="list-style-type: none"> • Change ban - to safeguard urban land-use planning Exemption permit • A municipality can decide on a change ban during the preparation of a development plan • Depending on the specific definition by the municipality, a change ban can mean: no construction measures and changes of use; demolition and significant or value-enhancing changes to the property or building structures are not possible on a specific area unless an exemption has been granted. • Application for exemption possible at: Construction, modification and change of use of buildings Large-scale embankments and excavations Excavations and deposits including storage sites Removal of building structures Significant or substantially value-enhancing changes to land and buildings, insofar as these are not subject to approval, consent or notification • No special permit required for: projects that were approved under building law before the change ban came into force projects of which the municipality has gained knowledge in accordance with building regulations and the execution of which could have begun before the change ban came into force Maintenance work and continuation of a previously practiced use • Prerequisite for exceptional approval: predominantly public interests do not conflict with the project • The building permit authority decides on exceptions in agreement with the municipality • Responsible: lower building supervisory authority
Ansprechpunkt	
Zuständige Stelle	The lower building supervisory authority is generally

Modul

Sachverhalt

responsible. This is the district administration, in independent and large towns belonging to the district, the municipal administration or the association municipality administration if it has been assigned building supervision tasks (Diez and Konz association municipality administrations).
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Formulare

Ursprungsportal

Ausnahmegenehmigung bei einer Veränderungssperre zur Sicherung der Bauleitplanung beantragen, Applying for an exemption from a change ban to safeguard urban land-use planning