

Aufgabenbeantwortung Landschaftsplanung - Gabriel Wollschläger

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1.1 Die Regelung der Landschaftsplanung in den BundesländernDie in den §§ 1 und 2 des Bundesnaturschutzgesetzes (BNatSchG) rechtlich festgelegten Ziele und Grundsätze des Naturschutzes und der Landschaftspflege (Schutz und Entwicklung eines ausgewogenen Naturhaushaltes unter besonderer Berücksichtigung des Biotop- und Artenschutzes, der Nutzungsfähigkeit der natürlichen Ressourcen sowie der freiraumbezogenen Erholung und des Landschaftsbildes im gesamten besiedelten und unbesiedelten Bereich) gelten unmittelbar für alle Bundesländer. Die Landschaftsplanung, die als mehr oder weniger querschnittsorientierte und konzeptionelle Fachplanung nach Analyse und Bewertung der ökologischen Ist-Situation auf örtlicher und überörtlicher bzw. regionaler Ebene mit Ziel- und Maßnahmenkonzepten die Belange von Naturschutz und Landschaftspflege in die traditionelle Gesamtplanung (Bauleitplanung) einbringen soll, ist in den §§ 5 und 6 des BNatSchG lediglich rahmenrechtlich geregelt (Ermächtigungsgrundlage zum Erlass von landerspezifischen Regelungen). Das führt dazu, dass es nicht nur hinsichtlich der Inhalte, sondern insbesondere auch bezogen auf das Verhältnis der Landschaftsplanung zur Bauleitplanung, also die formliche wie verfahrensmäßige Ausgestaltung der Landschaftsplanung bezüglich Planungsebenen, Geltungsbereich und Verbindlichkeit in den einzelnen Landschaftsschutzgesetzen, sehr unterschiedliche Regelungen gibt. Was das Verhältnis von Landschafts- und Bauleitplanung auf der Ebene der Gebietskörperschaften der Städte und Kreise angeht, lassen sich die Länderregelungen zu drei Gruppen verschiedener Form bzw. Verfahrensweisen zusammenfassen. Die sog. vorlaufende Landschaftsplanung ist durch ein Höchstmaß an Verbindlichkeit gekennzeichnet, weil die Landschaftspläne in diesem Verfahren eine eigene Rechtsverbindlichkeit entweder durch RVO der Regierung (als Teil der Exekutive) oder durch Satzung (Ortsgesetz) des Parlaments (Legislative) erlangen. Sie sind somit nicht nur behördenverbindlich, sondern entfalten unmittelbare Rechtswirkung nach außen (gegenüber dem Bürger). Eine vorlaufende

Landschaftsplanung mit unterschiedlicher Ausprägung wird z.B. in den Stadtstaaten Berlin, Hamburg und Bremen sowie in NRW praktiziert, Länder also, die durch hochverdichtete städtische Ballungsräume mit großem Nutzungsdruck und entsprechenden Siedlungsflächen charakterisiert sind ...Author: Wollschläger, Gabriel Publisher: GRIN Verlag Illustration: N Language: GER Title: Aufgabenbeantwortung Landschaftsplanung Pages: 00069 (Encrypted PDF) On Sale: 2010-01-01 SKU-13/ISBN: 9783640523764 Category: Technology & Engineering : General Category: Architecture : General Category: Science : Life Sciences - Biology

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