

47.2 Ballot Measure 37 – Local Waivers. A Ballot Measure 37 waiver is not a “license” and the remedies that are available to certain license holders are not available to Ballot Measure 37 claimants. Ballot Measure 37 claimants are limited to the remedies set out in Ballot Measure 49. *Hoffman v. Jefferson County*, 60 Or LUBA 101 (2009).

47.2 Ballot Measure 37 – Local Waivers. Where a board of county commissioners previously waived a subdivision approval standard under Ballot Measure 37 (ORS 197.352), that approval standard does not apply to a subsequent proposal to subdivide the property. *Pete’s Mtn. Home Owners Assoc. v. Clackamas County*, 55 Or LUBA 287 (2007).

47.2 Ballot Measure 37 – Local Waivers. Where a subdivision approval criterion was waived under Ballot Measure 37 (ORS 197.352), in a subsequent application for subdivision approval an opponent may not argue for the first time that the waived approval criterion is a public health and safety regulation that cannot be waived under Ballot Measure 37. *Pete’s Mtn. Home Owners Assoc. v. Clackamas County*, 55 Or LUBA 287 (2007).