



September 4, 2026

City Council
City of Tualatin
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RE: City Council Appeal of Architectural Review for Lam Research Corporation's Building B Addition (AR 26-0002)

Dear Mayor Bubenik and City Councilors:

On behalf of Lam Research Corporation ("Lam"), we respectfully request that the City Council affirm the June 17, 2026, staff decision approving AR26-0002 (the "Building B Addition") and deny the appeal.

The question before City Council is whether the approximately 3,900-square-foot Building B Addition satisfies the applicable Architectural Review criteria. The staff decision demonstrates that it does.

The Architectural Review process is limited in scope, and the applicable criteria do not include noise standards. The City has appropriately imposed a condition of approval (A 14) to ensure future compliance with TDC 63 (which incorporates the Noise Ordinance), and the record contains substantial evidence supporting Building B Addition's compliance with the approval criteria.

The appellants have participated extensively in the City's review processes and have reported detailed concerns regarding noise. The existence or repetition of a concern does not, by itself, establish noncompliance with an approval criterion. City Council previously considered and rejected materially similar arguments concerning noise during the Architectural Review process for the TUX Project (AR24-0002, Resolution No. 5937-25 (the "TUX Approval")), as summarized in **Exhibit A**, Summary of Issues. This appeal should be rejected for the same reasons.

SUMMARY OF APPEAL

The appeal alleges the following categories of objections. None relates to the Architectural Review approval criteria, and none provides a basis for denying the Building B Addition.

- 1. The application's compliance with the approval criteria.** The appeal references two noise provisions, but neither are applicable during Architectural Review. The Manufacturing Park zone's (TDC 62) references to noise are part of an aspirational

purpose statement, and the Tualatin Noise Ordinance (TMC 6-14) is an ongoing performance standard that is incorporated by TDC 63.051. Neither is a mandatory land use approval standard applicable during Architectural Review.

2. **Accuracy and completeness of the noise model.** A noise model is not required in support of Architectural Review, so allegations about a noise model cannot be the basis for denying Architectural Review. That is especially true here, where the appeal raises issues with the noise model that Lam voluntarily provided during the TUX Project review. The TUX Approval is final and is not subject to review again through this appeal.

Although a noise model is not required, Lam takes compliance with noise performance standards seriously and desires to provide information in response to community concerns with noise. Accordingly, Lam has again offered a noise model as part of the Building B Addition. **Exhibit B**, CGA Lam Building B Addition Environmental Noise Model (September 4, 2026). The updated model predicts that the new mechanical equipment associated with the Building B Addition is not expected to generate substantial noise and is being designed such that the total campus noise levels (existing operations + TUX Approval + Building B Addition) will continue to comply with DEQ and City of Tualatin noise standards.

3. **The City's enforcement proceeding.** The staff decision reports that City Code Enforcement investigated noise complaints and conducted sound measurements at complainants' property lines. Staff reports that the measurements did not exceed the applicable TMC Chapter 6-14 standards and that, upon concluding that Lam's current operations are compliant, the investigation was closed. The decision also explains that future operational complaints will be addressed through the City's established enforcement process.

The appeal disputes the basis for the enforcement proceeding's conclusions and continues to allege that noise from current campus operations is in violation of the Noise Ordinance. Those allegations do not concern the proposed Building B Addition and should not be re-adjudicated through this Architectural Review appeal.

ANALYSIS

The appeal substantially repeats issues that were presented, analyzed, and resolved in connection with the City Council's TUX Approval and through the City's separate noise enforcement process. Because the applicable approval criteria and the issues are materially the same, it would serve little purpose to reproduce that analysis at length here. Instead, we incorporate by reference and submit as attachments:

- **Exhibit C:** The TUX Approval: AR24-0002, Resolution No. 5937-25, including findings;

- **Exhibit D:** Noise evidence submitted by Lam during the TUX Approval process, including materials from CGA on September 3, 8, and 10, 2025; and
- **Exhibit E:** Lam's October 24, 2025 and November 10, 2025 TUX Approval testimony.

The Building B Addition appeal does not identify a material factual or legal distinction that would support a different outcome than the result previously reached by the Council in the TUX Approval. For the reasons discussed below, the Council should affirm AR26-0002 and deny the appeal.

The purpose of this testimony is not to restate the extensive analysis that has already occurred. Instead, it distinguishes between: (1) issues that are materially the same as those previously presented, analyzed, and resolved; and (2) issues that are new and warrant separate consideration in AR26-0002.

I. Review of Repeated Issues

The central themes of the appeal are familiar. Concerns regarding noise, compatibility with neighboring residential properties, alleged impacts on property values, and the relationship between campus operations and applicable environmental standards were all raised during the TUX proceeding and were addressed in the Council's adopted findings affirming that TUX Approval.

The Council's adopted findings in the TUX Approval remain the most complete analysis of those issues. Lam respectfully directs the Council to those findings (attached as Exhibit C) rather than repeating them here.

A. The Appeal Repeats Previously Resolved Noise Objections

Noise-related objections were extensively raised, reviewed, and addressed during the TUX proceeding, including through the Council's adopted findings and conditions of approval. The current appeal repeats materially similar allegations regarding operational noise, prior noise analyses, and the relationship between those issues and Architectural Review approval. As before, those allegations do not provide a basis for denial because noise is not an applicable Architectural Review approval criterion. Instead, performance standards regulate noise once the use is operational, with compliance assured through enforcement.

1. The Mandatory Approval Standards Do Not Consider Noise

The Council previously considered and rejected noise-based objections because the criteria applicable in Architectural Review do not consider noise. The detailed findings in the TUX Approval distinguish mandatory land use approval standards from ongoing performance standards and aspirational purpose statements; findings and interpretations that apply here.

Category	Characteristics	When Applied	Proof Required During Land Use Application
Mandatory Approval Standard	Binding criterion for approval	At land use application	Compliance or feasibility
Performance Standard	Regulates how a use functions	Once a use is operational, through enforcement	None, because they are “not necessary prerequisites to issuance of a permit”
Aspirational Purpose Statements	Nonbinding policy or intent	n/a	None; may be used to guide interpretation

As in the TUX proceeding, the noise-related provisions cited in this appeal are performance standards or aspirational statements—not mandatory approval criteria—and cannot serve as grounds for denial.

2. Performance Standard Compliance Is Assured by a Condition of Approval and Enforcement

Condition of Approval A 14 ensures continuing compliance with the applicable environmental performance standards in TDC 63, including noise and the related provisions addressing vibration, air quality, glare, storage, waste, and dangerous substances.

If the performance standards are not met once a use is operational, enforcement is conducted in accordance with the procedures set out in the Tualatin Municipal Code (TMC 7-1). An example of enforcement of an operating use is described in staff’s decision in AR26-0002. In response to community complaints about noise from Lam’s existing operations, the City independently investigated reported noise concerns and determined that measured levels did not exceed the applicable standards in TMC Chapter 6-14.

The purpose of this point is not to suggest that future complaints are prohibited or that future concerns cannot be investigated. Rather, it demonstrates that noise complaints about existing operations do not demonstrate that AR26-0002 fails to satisfy an applicable approval criterion. Instead, an enforcement investigation is the appropriate forum. Here, the City has already undertaken an independent enforcement review and reached a conclusion based on its own investigation. Repetition of disagreement with that conclusion is not relevant to the Building B Addition’s compliance with the Architectural Review approval criteria.

II. New Issues Related to the Building B Addition

The proposal before the Council is not another major campus expansion.

The application involves an approximately 3,900-square-foot addition to existing Building B, including an enclosed scrubber pad and related utility modifications. The proposal removes seven parking spaces, generates no additional employment, and is not expected to generate additional vehicle trips.

Accordingly, the scope of AR26-0002 is substantially narrower than the scope of the TUX approval previously reviewed by the Council.

1. Projected Noise from Building B Addition

For the reasons explained above, the noise that will be generated by the Building B Addition is not relevant to any Architectural Review approval criteria. Instead, once the Building B Addition is operational, it must comply with the performance standards in TDC Chapter 63, including the Noise Ordinance, as required by condition of approval A 14. Once operational, allegations of the Building B Addition's noncompliance will be addressed through a separate enforcement proceeding.

Because projected noise is not relevant to the approval criteria, a noise model is not required as a part of Architectural Review. However, because Lam takes compliance with performance standards seriously and in response to community concerns with noise, Lam has voluntarily modeled the anticipated Building B Addition noise impact. As summarized in Exhibit B, the modeling included:

- Step 1: Evaluate the new planned exterior noise sources associated with the new Building B Addition and noise sources associated with Buildings U, X, and H, and the Future Gas Yard.
- Step 2: Add those noise sources to the modeling that was conducted in support of the TUX Project, to determine the combined predicted noise from all new (e.g., not yet constructed) Lam developments. Steps 1 and 2 are the predictive model of planned development. The predictive model does not include existing noise sources. Instead, actual noise sources are added in the third step.
- Step 3: Add the predicted noise to the existing baseline background noise levels along the north property line, as measured by CGA in September 2025, to evaluate the anticipated overall noise levels from continuous sources associated with the Lam campus.

The appeal's suggestion that this standard modeling approach is evidence of an incomplete model is incorrect. The disclaimer cited in the appeal simply distinguishes between two different components of the analysis: the predictive component, which evaluates proposed noise sources that are not yet operating, and the measured baseline component, which reflects the existing background noise conditions. Existing noise sources are not omitted; they are accounted for using measured baseline noise levels and then combined with the predicted contribution from planned development. This approach avoids double-counting existing noise sources and evaluates the relevant future condition: existing campus background noise plus the additional

noise predicted from the approved and proposed improvements. The appeal therefore misunderstands the purpose of the disclaimer and the structure of the model.

The Noise Ordinance requires that the maximum noise level at the north property line cannot exceed 50 dBA at night. The key conclusions of the model include:

- Noise from the new noise sources associated with all of Lam's planned developments (Steps 1 and 2) is predicted to be well below the 50 dBA nighttime criterion at the north property line.
- When combined with existing noise (Step 3), the total campus noise levels (existing + all planned development) will continue to comply with the noise standard.

2. Building B Addition's Purpose and Chemicals Used

Architectural Review evaluates the exterior of a building, not its use, activities, processes, or contents. The appeal's pivot to raising concerns with the nature of chemicals used in Lam's advanced manufacturing process is irrelevant to Architectural Review.

The Building B Addition simply provides more room for Lam's existing lab work. Condition of approval A 14 requires Lam to comply with all Chapter 63 environmental regulation performance standards, and governmental agencies with subject matter jurisdiction and expertise, such as TVF&R, independently review and enforce fire and life safety requirements.

CONCLUSION

The appeal does not demonstrate a legal or evidentiary basis to overturn staff's approval of the Building B Addition. The noise-related provisions cited are performance standards or aspirational statements, not mandatory approval criteria, and cannot serve as grounds for denial. Likewise, disagreement with previously accepted noise modeling or the City's enforcement conclusions is not a basis for denying the Building B Addition.

Staff's approval demonstrates that the Building B Addition satisfies the applicable Architectural Review criteria. We respectfully request that the City Council deny the appeal and affirm staff's approval of AR 26-0002.

Very truly yours,



Dana L. Krawczuk

New Information:

Exhibit A: Summary of Issues

Exhibit B: Lam Building B Addition Environmental Noise Model (September 4, 2026).

Previously Submitted and Reviewed Information:

Exhibit C: The TUX Approval: AR24-0002, Resolution No. 5937-25, including findings;

Exhibit D: Noise evidence submitted by Lam during the TUX Approval process, including materials from CGA Noise Modeling dated September 3, 8, and 10, 2025;

Exhibit E: Lam's October 24, 2025 and November 10, 2025 TUX Approval testimony.

Exhibit A: Summary of Issues

Appeal Issue	Previously Raised and Resolved?	New to AR26-0002?	Reference to Detailed Analysis
Existing operational noise from the Lam campus and alleged violations	Yes	No	TUX Resolution and adopted findings Independent City enforcement investigation CGA noise modeling
The scope of Architectural Review is limited to criteria that address design standards for buildings, parking areas, and landscaping.	Yes	No	TUX Resolution and adopted findings Lam TUX testimony
Distinguishing mandatory land use approval standards from ongoing performance standards and aspirational purpose statements	Yes	No	TUX Resolution and adopted findings Lam TUX testimony
Compliance with the Noise Ordinance and other Environmental Regulations of TDC 63 are performance standards, not approval criteria. Instead, compliance is addressed through a condition of approval, which is subject to enforcement.	Yes	No	TUX Resolution and adopted findings Independent City enforcement investigation CGA noise modeling

Appeal Issue	Previously Raised and Resolved?	New to AR26-0002?	Reference to Detailed Analysis
			Lam TUX testimony
The Manufacturing Park zoning purpose statement is aspirational and not an approval criterion. This relates to testimony related to noise, residential compatibility, and property value.	Yes	No	TUX Resolution and adopted findings Lam TUX testimony
Projected noise from TUX Approval	Yes	No	TUX Resolution and adopted findings CGA noise modeling Lam TUX testimony
Projected noise from Building B Addition	No	Yes	AR26-0002 staff decision CGA noise modeling
Results of City's noise enforcement investigation	No	Yes	AR26-0002 staff decision
Questions regarding Building B's purpose and chemicals used	No	Yes	AR26-0002 staff decision