



Family Burial Grounds

Planning Commission - Workshop

06/23/2026

Agenda

- Background
- Define Family Burial Grounds
- State requirements of SHB 2239
- Potential code amendments across departments
- Discussion



Background

- SHB 2239 authorizes family burial grounds on private property.
- Establishes requirements for creation and recording with the county auditor.
- Preserves local government authority to regulate or prohibit family burial grounds.
- Prior to SHB 2239 on site private burials were prohibited in Lewis County



Background

- SHB2239 became effective June 11, 2026
- The BOCC adopted a **6-month moratorium** on family burials on private property to maintain the current status quo
- Provides time to evaluate potential impacts related to:
 - Critical areas, wetlands, and shorelines
 - Groundwater, aquifer recharge areas, and drinking water
 - Property access, setbacks, and future land divisions
 - Land divisions and maintenance / access
 - Long term tracking of burial locations



What is a Family Burial Ground?

“A privately owned, noncommercial burial area established on property owned by one or more natural persons for the interment of family members, descendants, and other persons authorized under Chapter 68 RCW. A family burial ground is not a commercial cemetery or funeral establishment and shall not involve the sale of burial rights, burial plots or burial services to the public.”



State Minimum Requirements per SHB 2239

- Located on private property owned by a natural person.
- Written consent from all co-owners if the property is jointly owned.
- Not be established on property owned by a combination of individuals and legal entities (LLCs, corporations, etc.).



State Minimum Requirements per SHB 2239

- No selling of burial plots, burial rights or burial fees
- Disclose the burial ground upon sale of the property
- Any mausoleum or columbarium must meet building code, health code, and Class A fireproof construction requirements.



State Minimum Requirements per SHB 2239

- Min 25 feet from any parcel boundary
- Min 100 feet of the property line of a public ROW or easement
- 150 feet from critical areas
- 100 feet from a drinking-water well
- 200 feet from a drinking-water spring
- Occupy no more than 10% of the parcel area



Proposed Land Use Framework

Level 1 – Family Burial Ground

- Burial activity only
- No accessory structures (tombstone, headstone, stone statues okay)
- Administrative review

Level 2 – Family Burial Ground with Accessory Facilities

- Mausoleum
- Crematory
- Memorial structures
- Special Use Permit



Proposed Land Use Framework

- Allow only in RDD 5, 10 & 20, ARL and FLR.
- Minimum parcel size of 2 acres.
- Maximum burial grounds area not to exceed 10% of the total lot area and not to exceed a maximum of 10,000 square feet
- Demarking the area with appropriate fencing, signage
- Possible access requirement



Critical Areas

Staff considering prohibition on:

- Burials within Aquifer recharge
- Burials within Shoreline Jurisdiction
- Reduced buffers for wetland, stream, or geologically hazardous areas
- Burials within floodways or floodplains



Environmental Health Review

- Well Setbacks
- Septic Setbacks
- Groundwater Protection



Auditor Recording Requirements

Burial Grounds

- Survey can be mechanism required by Land Use permit
- Burial ground location recorded with Auditor

Interment Records Including:

- Decedent name
- Date of birth
- Date of death
- Parcel number
- Legal description
- Latitude/Longitude of grave
- Date of interment



Platting and Subdivision Requirements

- Require Easement identifying burial site on plat
- Demarking the area with appropriate fencing, signage
- Access and maintenance between the properties
- Plat note including grading restriction in burial grounds:

“Prior to any disinterment, relocation, or removal of human remains, the property owner or applicant shall contact the Washington State Department of Archaeology and Historic Preservation (DAHP) and comply with all applicable state laws and permitting requirements.”



- Commissioner Topic Discussion and Questions





Natalie Kamieniecki

Senior Long-Range Planner

Natalie.Kamieniecki@lewiscountywa.gov

360 740-2606

Project Website: Family Burial Grounds

<https://lewiscountywa.gov/departments/community-development/comprehensive-plan-and-development-regulation-amendments/family-burial-grounds/>