

Planning Commission Workshop



Community Development • 125 NW Chehalis Avenue, Chehalis, WA 98532 • Phone: (360) 740-1146

STAFF REPORT

Date: July 14, 2026
Staff: Natalie Kamieniecki, Senior Long-Range Planner
Re: **Family Burial Grounds**

The purpose of this workshop is to present preliminary direction for development regulations for family burial grounds prepared in response to Planning Commission direction and discussion received during the July 14 workshop.

The purpose of tonight's workshop is to revisit topics from the initial workshop, discuss proposed code language, receive additional feedback from the Planning Commission, and identify any clarifications and direction to prepare for the formal code amendment package.

Since the previous workshop, staff evaluated the discussion and comments provided by the Planning Commission that include:

- Creation of a new land use category regulating family burial grounds.
- New definitions for family burial grounds, cemetery, crematorium, mausoleum, columbarium, and related terms.
- Prohibition of private crematoriums and on-site cremation activities.
- An Administrative Review Permit process for at-ground family burial grounds with related burial structures up to 4-feet in height (not including landscaping features) and a Special Use Permit requirement for proposals including above-ground burial structures over 4 feet in height.
- Development standards including setbacks, maximum burial-ground area, prohibit human remains from being visible (e.g., above ground glass case) from any public right-of-way or adjoining property, etc.
- Protection of critical areas, potential prohibition on establishing burial ground within critical aquifer recharge (CARA Category 1 only).
- Survey required documenting the location of burial ground and recording with the Auditor prior to first interment.
- Appropriate fencing and signage shall be installed by the property owner.
- Address long-term maintenance, easement, and access.

- Allow for property held in an irrevocable family trusts to be eligible to establish a family burial ground.

FOLLOW UP ISSUES AND PRELIMINARY RECOMMENDATIONS

1. Land Use Considerations

Staff Recommendations:

- Staff does not recommend planning involvement or oversight requiring access to family burial grounds located on a **singular parcel** of private property after approval of the land use permit.
- Staff recommends code amendment to allow ownership by an individual natural person, as well as ownership held by a family trust established for the benefit of one or more members of the same family. Property owned by such a trust shall be considered eligible for the establishment of a family burial ground.

2. Land Divisions & Access

Staff Recommendation:

- Staff recommend that the family burial grounds be identified as an easement (not separate tract) on the plat survey for all land divisions.
- Demarcation of the burial area with appropriate fencing and signage, access considerations, and determination of maintenance responsibilities.
- Any access easement to family burial grounds shall connect to private road access easement or public road right of way.

The following is draft language for Title 16 – Subdivisions to address these considerations:

“Where a subdivision contains an established family burial ground, the family burial ground shall be depicted on the final plat within a designated easement. Access easements serving the family burial ground may be dedicated to the owners of the residual lots and shall connect to the subdivision's common access easement or a public right-of-way. A note shall be placed on the face of the plat stating:

“No grading, excavation, unauthorized structures, utility installation, or other land-disturbing activities shall occur within the recorded family burial ground area except as authorized by law.”

“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”

A maintenance agreement meeting the requirements of LCC 16.05.360 shall be recorded to provide for the maintenance of all common areas and access easements associated with the family burial ground. Family burial ground shall be demarcated with appropriate fencing and signage as determined by the property owner.”

3. Compliance with Critical Areas and Shoreline

Staff Recommendation:

- Maintain a minimum setback of 150 feet from the edge of the critical area or prescribed buffer pursuant to LCC17.38- Critical Areas, whichever is greater.
- Allow existing review processes for critical area buffer reductions
- Prohibit within aquifer recharge area (CARA Class I only)
- Prohibit in the Shoreline Jurisdiction

NEXT STEPS

The Planning Commission is scheduled to hold a final workshop on family burial grounds to review the draft code standards on July 28, 2026. Following direction and feedback received during the workshop, staff will revise draft code amendments. Staff have tentatively set the public hearing before Planning Commission for August 11, 2026, subject to change. Written testimony can be submitted when the Notice of Hearing is published on July 28.