Family Burial Grounds

Lewis County Board of County Commissioners

Workshop

10/21/2026

Agenda

- Background
- Family Burial Ground – Definition
- State requirements of SHB 2239
- Proposed Land Use Framework
- Questions?

Background

- SHB 2239 authorizes family burial grounds on private property effective June 11, 2026
- Preserves local government authority to regulate or prohibit family burial grounds
- The BOCC adopted Res 26-190 enacting a 6-month moratorium on family burial grounds to provide time to evaluate potential impacts related to:
  - Critical areas, wetlands, and shorelines
  - Groundwater, aquifer recharge areas, and drinking water
  - Setbacks, and future land divisions
  - 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 - 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 legal entities, LLCs, corporations, etc.
- No selling of burial plots, burial rights or burial fees
- Disclose the burial ground upon sale of the property
- Any mausoleum, columbarium or crematorium must meet building code, health code, and Class A fireproof construction requirements

State Minimum Requirements - 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 - Permitting

- Permitted use in RDD 5, 10 & 20, ARL and FLR
- MSR required with condition of approval to have FBG area surveyed prior to recording
- 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
- Demark the area with appropriate fencing, signage as determined by property owner
- Allow FBG on land owned by Family Trust

Proposed Land Use Framework – Permitting

- Prohibit crematoriums including temporary or one-time on-site cremation activities.
- Human remains must not be visible from any public right-of-way or adjoining parcel under different ownership.
- The family burial ground must be surveyed and recorded with the Auditor.

Proposed Land Use Framework - Critical Areas and Shoreline

- Prohibit Burials within CARA 1 Aquifer recharge
- A minimum setback of 150 feet, or the applicable critical area buffer required by LCC 17.38, whichever is greater, shall be maintained from all critical areas
- Prohibit Burials within Shoreline Jurisdiction

Proposed Land Use Framework - Platting and Subdivision Requirements

- Easement identifying burial site on plat
- Demarking the area with appropriate fencing, signage
- Plat note including grading restriction in burial grounds
- Maintenance agreement only if dedicating common spaces related to FBG during platting

Auditor Recording Requirements

Burial Grounds

- Survey required by Land Use permit
- Burial ground location recorded with Auditor
- Record each internment

Interment Records Including:

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

- Questions

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Project Website: Family Burial Grounds

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

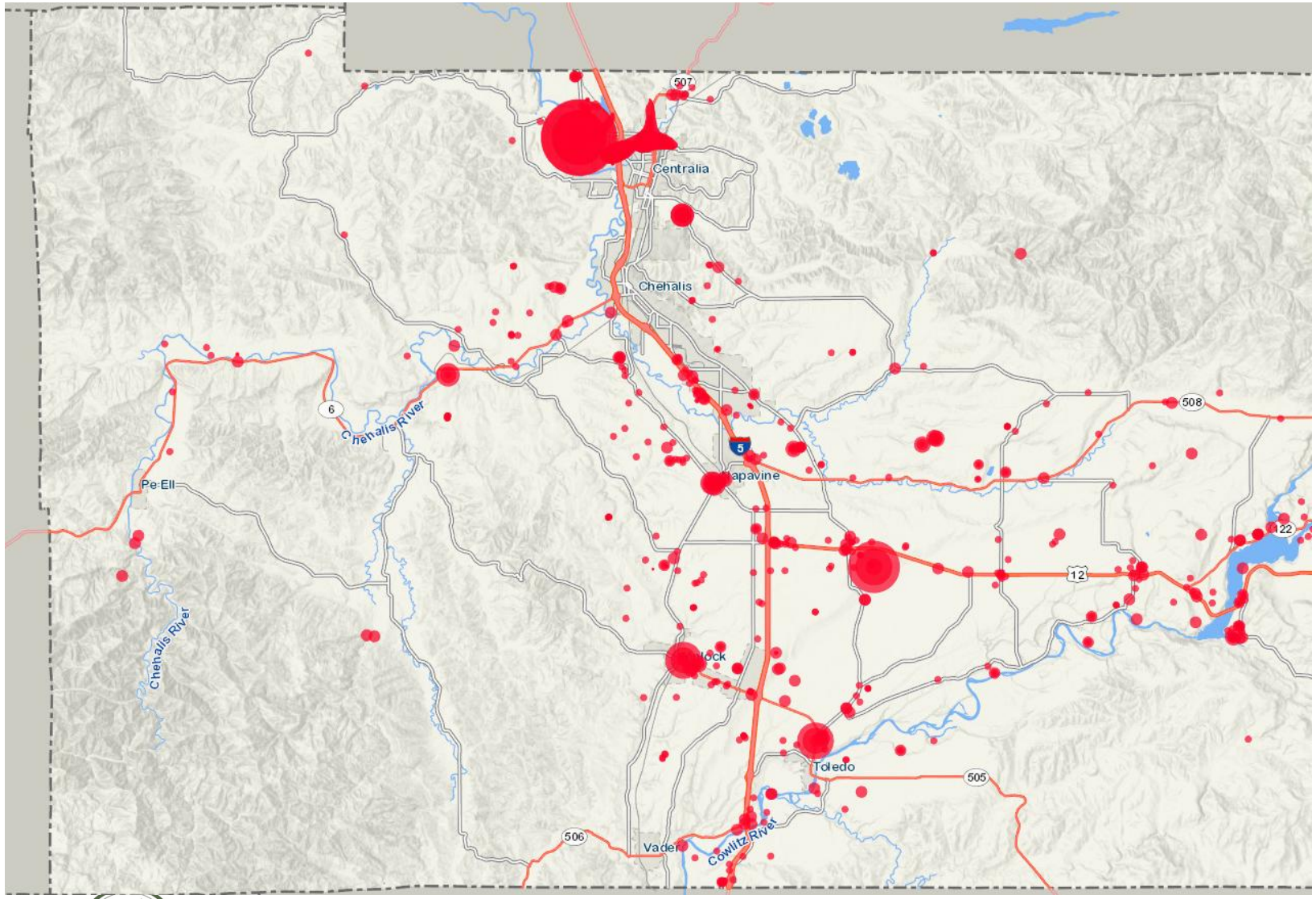
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Critical Aquifer Recharge Area



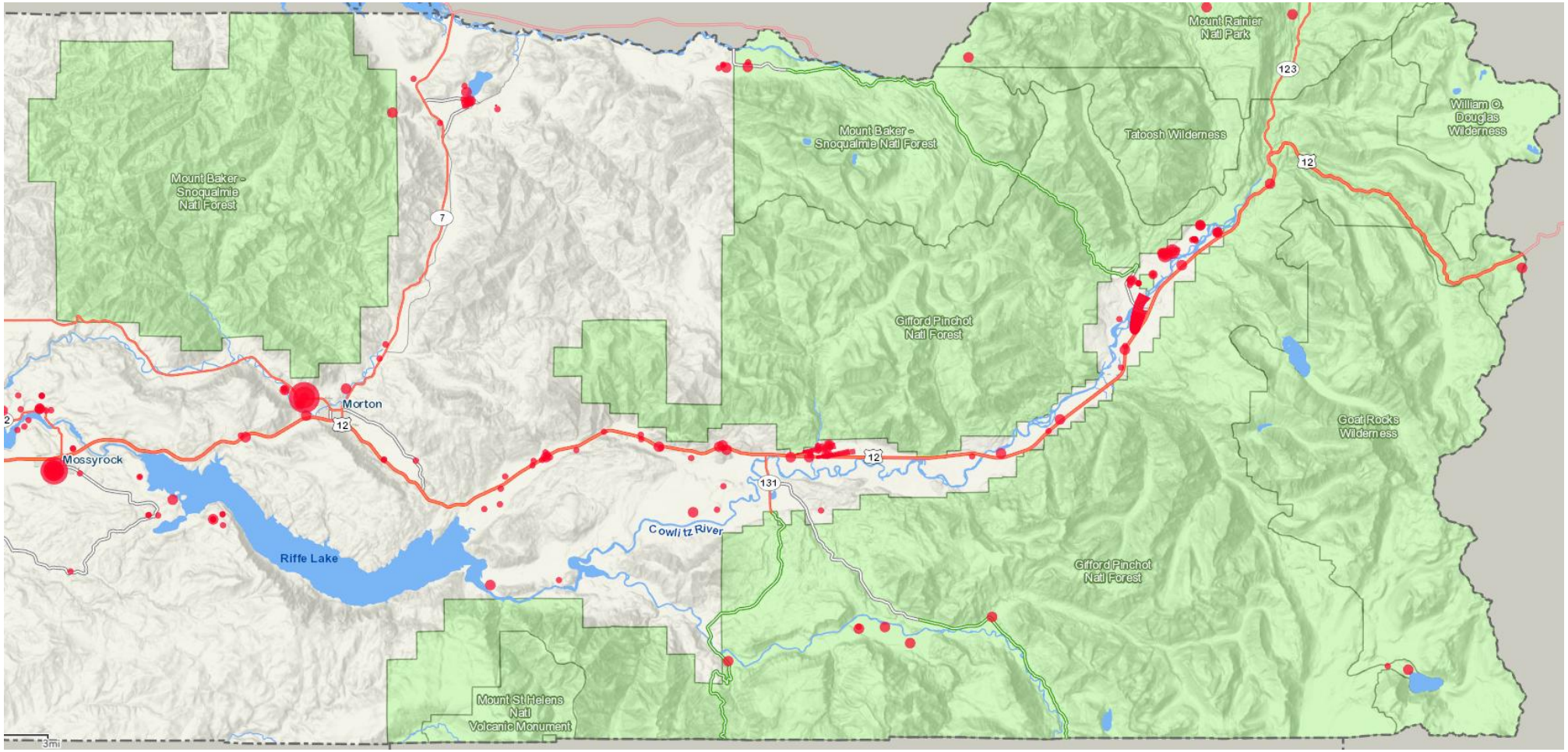
Category 1 CARA

Critical Aquifer Recharge Area



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