

COTTAGE FOOD LAW REPORT

York County

Virginia · Yorktown · FIPS 51199 · Population 70,238 ·
Crosodo Index #1682*

STATE BASELINE

Va. Code §3.2-5130

STATE TIER

Good

ANNUAL SALES CAP (STATE)

Tiered

CONFIDENCE

HIGH

LAST VERIFIED

2026-05-05

IMPORTANT — NOT LEGAL ADVICE

This report compiles publicly-available statutes, regulations, and county zoning rules into a research reference. It is **not legal advice** and is provided **without warranty** as to accuracy, completeness, or current applicability.

Cottage food law changes frequently. Counties may amend zoning, health departments may issue new permits, and state legislatures may update statutes after the publication date shown above.

Always verify rules directly with your state department of health/agriculture and your county health and planning offices before relying on them for any business or regulatory decision. Consult a licensed attorney for advice specific to your situation.

How to start — 60-second path

York County, Virginia — permit, pickup, and label steps before the full county rules.

HOME KITCHEN ALLOWED?

Yes

STATE SALES CAP

Tiered

HOME OCCUPATION PERMIT?

Yes

ON-SITE / PORCH PICKUP?

Conditional

INSPECTION

No

PETS

Not specified in state law

BEFORE YOU SELL FROM THIS ADDRESS

- ☐ **1. Menu** — Confirm each product under Virginia cottage food rules (county cannot expand a state ban).
- ☐ **2. Pickup & zoning** — Home occupation and porch pickup cells above; HOA/lease may still block customer traffic.
- ☐ **3. Local tax / license** — Business license or sales tax certificate if your city/parish requires it (common even with no state food permit).
- ☐ **4. Training** — Food handler or state registration before market day.
- ☐ **5. Labels** — Disclaimer, allergens, ingredients, net quantity, producer info.
- ☐ **6. Call if unclear** — County health and planning for your exact address.

LABEL FIELDS TO INCLUDE

- ☐ Product name · producer name · address (or allowed alternative)
- ☐ Ingredients by weight · major allergens · net weight/quantity
- ☐ Virginia home-kitchen disclaimer (see live label one-pager)

CONTINUE ONLINE

[Open the live county page →](#)

[Virginia label one-pager →](#)

[Print labels for your first market →](#)

[Local notes & questions →](#)

Planning path only — not legal advice. Rules change. Always verify with state and local offices before selling.

VIRGINIA: YORK COUNTY

CROSODO INDEX #1682* · FIPS 51199 · Yorktown

York County

Population 70,238 · State baseline: Va. Code §3.2-5130 · **HIGH**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (No food handler cert required. No registration required. Direct-to-consumer sales only; no internet or mail order sales; no retail outside state. Tiered annual sales cap applies. Non-TCS non-potentially-hazardous foods only.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

Not specified in state law

HOME OCCUPATION PERMIT?

Yes (York County Zoning Ordinance §24.1-280 through §24.1-283 governs home occupations. A Zoning Clearance for Home Occupation is required from the Commissioner of Revenue and Zoning & Code Enforcement office (757-890-3523). Food preparation for off-premises sale with no on-site customer contact does NOT require a Special Use Permit. On-site customer pickup requires a Special Use Permit allowing max 1 customer/hour, 5 customers/day, by appointment only, Mon-Sat 8am-8pm. Max 2 non-resident employees without Special Use Permit. Operation limited to 400 sq ft or 25% of residence floor area.)

ON-SITE / PORCH PICKUP?

Conditional

INSPECTION REQUIRED?

No (No routine inspection under state cottage food law)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — No food handler cert required. No registration required. Direct-to-consumer sales only; no internet or mail order sales; no retail outside state. Tiered annual sales cap applies. Non-TCS non-potentially-hazardous foods only.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	Not specified in state law
WATER SUPPLY	Standard residential water supply
HANDWASHING	Good sanitation practices implied
FOOD STORAGE	Appropriate storage for non-PHF products

Inspection & permitting

INSPECTION REQUIRED	No — No routine inspection under state cottage food law
HOME OCCUPATION PERMIT	Yes — York County Zoning Ordinance §24.1-280 through §24.1-283 governs home occupations. A Zoning Clearance for Home Occupation is required from the Commissioner of Revenue and Zoning & Code Enforcement office (757-890-3523). Food preparation for off-premises sale with no on-site customer contact does NOT require a Special Use Permit. On-site customer pickup requires a Special Use Permit allowing max 1 customer/hour, 5 customers/day, by appointment only, Mon-Sat 8am-8pm. Max 2 non-resident employees without Special Use Permit. Operation limited to 400 sq ft or 25% of residence floor area.
LOCAL BUSINESS LICENSE	Yes

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Conditional
ON-SITE SIGNAGE	No
DELIVERY / PICKUP RULES	Off-premises sales (markets, delivery) allowed without Special Use Permit. On-site retail requires Special Use Permit with appointment-only restrictions.
MAX EMPLOYEES IN HOME	No more than 2 non-resident employees without Special Use Permit

Relevant county code

York County Code §24.1-280, §24.1-281, §24.1-282, §24.1-283

RESEARCH NOTES

York County VA has specific and detailed home occupation zoning code (§24.1-280 through 24.1-283). Key finding: food preparation for off-premises sale with no on-site customer contact is explicitly exempted from Special Use Permit requirement. On-site customer pickup (pickup at home) requires SUP with appointment-only restrictions. No exterior signage visible from street allowed. Zoning clearance required from Commissioner of Revenue. County planning URL confirmed. Application form (revised 10/21/2024) available on county website.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.yorkcounty.gov/planning>

<https://www.yorkcounty.gov>

<https://www.vdacs.virginia.gov/food-information-for-vendors-and-businesses-home-food-processors.shtml>

<https://www.yorkcounty.gov/4108/Zoning-Codes>

<https://www.yorkcounty.gov/DocumentCenter/View/661/Application-for-Home-Based-Business-PDF?bidId=>

https://www.yorkcounty.gov/DocumentCenter/View/58839/item4c_091724

Questions about this county? Local notes and a place to leave a question: crosodo.com/nb/virginia/york-county-discuss

York County and nearby places

Regulation	York County	James City County	Gloucester County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not specified in state law	Not specified in state statute.	No specific state cottage food pet restriction.
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Conditional	Yes	Yes
ON-SITE SIGNAGE	No	Conditional	Conditional
DELIVERY / PICKUP	Off-premises sales (markets, delivery) allowed without Special Use Permit. On-site retail requires Special Use Permit with appointment-only...	Direct sales to consumers only. No resale or consignment. No sales to retail food establishments.	Direct sales only at home, farmers markets, or temporary events (up to 14 consecutive days). No online ordering, no shipping, no wholesale.
HOME OCCUPATION PERMIT	Yes	Varies	Varies
LOCAL BUSINESS LICENSE	Yes	Varies	Likely
RESTRICTIONS	No food handler cert required. No registration required. Direct-to-consumer sales only; no internet or mail order sales; no retail outside ...	Home kitchen in primary domestic residence allowed. Non-TCS shelf-stable foods only. Pickles and acidified vegetables subject to \$9,000 ann...	Virginia Home Kitchen Food Processing Exemption (Va. Code §3.2-5130) permits direct-to-consumer sale of non-TCS shelf-stable foods from a p...
FOOD STORAGE	Appropriate storage for non-PHF products	Non-TCS shelf-stable products must be stored appropriately.	Non-TCS shelf-stable foods only.
POPULATION	70,238	78,818	38,875

State context — Virginia cottage food law

York County's rules sit on top of Virginia's state cottage food framework. The state law sets the floor — counties can add but cannot remove protections.

STATUTE

Va. Code §3.2-5130 (HB 402 / 2026 c. 605)

ANNUAL SALES CAP

Tiered

REGISTRATION REQUIRED

No

FOOD HANDLER CERT

No

KITCHEN INSPECTION

No

DIRECT SALES ONLY

Yes

INDIRECT SALES

No — As amended by HB 402 (Acts of Assembly 2026 Ch. 605), effective July 1, 2026: exempt foods may be sold at any location, through the internet, or by phone to an individual in Virginia for their own consumption, and delivered in person, by mail, or by delivery service in Virginia. Still no resale, consignment, restaurants, retail food establishments, or out-of-state sales. Local zoning still applies. The VDACS home-food-processor FAQ PDF is stale (still says no online sales); the statute controls. <https://lis.virginia.gov/bill-details/2026/HB402>

For the full state-level analysis including the verbatim statute text, see the [Virginia cottage food law report](#) on Crosodo, or open the live guide: crosodo.com/states/virginia.

STATE-LEVEL REFERENCES

State statute: <https://law.lis.virginia.gov/vacode/title3.2/chapter51/section3.2-5130/>

State dept cottage food page: <https://www.vdacs.virginia.gov/food-information-for-vendors-and-businesses-home-food-processors.shtml>

Forrager.com: <https://forrager.com/law/virginia/>

Questions about York County? Local notes and a place to leave a question are on Crosodo. We monitor new threads — start with zoning, permits, or porch pickup.

crosodo.com/nb/virginia/york-county-discuss

Classifieds

Resources for cottage food & home bakers · crosodo.com/advertise

NATIONAL

SUPPLIES

Advertise here — Supplies

Reach home bakers across the country. crosodo.com/advertise

COURSES

Advertise here — Courses

Reach home bakers across the country. crosodo.com/advertise

INSURANCE

Advertise here — Insurance

Reach home bakers across the country. crosodo.com/advertise

LOCAL

Advertise here

Reach home bakers in York County, Virginia. Supply stores, farmers markets, kitchen rentals, and bakery services welcome.

crosodo.com/advertise

Your business here

Local cottage food listings, kitchen rentals, co-packer referrals, and community events — post yours on Crosodo.

crosodo.com/nb/virginia/york-county-discuss

Free ad space available

Let us know if you're a non-profit or community organization. Farmers markets, kitchen rentals, and cottage food events near you welcome.

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