

COTTAGE BAKERY FROM HOME

Can I sell from my kitchen in Portsmouth City, Virginia?

Home kitchen sales. Not a shop or rented commercial kitchen. Last verified 2026-05-05.

STATE FOOD PERMIT

No

HOME OCCUPATION

Yes

BUSINESS LICENSE

Yes

SALES CAP

Tiered

VIRGINIA RULES. OPEN THESE FIRST.

[Virginia permits PDF](#)[Virginia cottage food law page](#)[Virginia Department of Agriculture and Consumer Services cottage food program](#)[Statute: Va. Code §3.2-5130 \(HB 402 / 2026 c. 605\)](#)**NOT LEGAL ADVICE**

This is what it takes to sell from a home kitchen in Portsmouth City. Confirm each step with Planning, Health, and the license office before you sell.

What you need

Portsmouth City, Virginia. File every Yes. Confirm every Check or Ask. Stay under the sales cap.

STATE FOOD PERMIT

No

ANNUAL SALES CAP

Tiered

HOME OCCUPATION / ZONING

Yes

LOCAL HEALTH

Upon-complaint

BUSINESS LICENSE

Yes

PICKUP AT THE HOUSE

Conditional

HOME KITCHEN ONLY

If you want a shop or a rented commercial kitchen, these rows do not apply.

CONTINUE ONLINE

Virginia permits PDF →

<https://crosodo.com/reports/pdf/permits/virginia.pdf>

Virginia cottage food law page →

<https://crosodo.com/states/virginia>

Permit page for this place →

<https://crosodo.com/what-permits/virginia/portsmouth-city>

Portsmouth City cottage food law page →

<https://crosodo.com/states/virginia/portsmouth-city>

Not legal advice. Rules change. Confirm with the office before you file.

Where to file

State

Virginia registration: No. Routine kitchen inspection: 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/20261/HB402>

Virginia permits PDF: crosodo.com/reports/pdf/permits/virginia.pdf

State law page: crosodo.com/states/virginia

Virginia Department of Agriculture and Consumer Services: <https://www.vdacs.virginia.gov/food-information-for-vendors-and-businesses-home-food-processors.shtml>

Statute: [Va. Code §3.2-5130 \(HB 402 / 2026 c. 605\)](#)

Zoning / home occupation

Yes. Portsmouth City requires a home occupation permit for home-based businesses. Portsmouth Zoning Ordinance (amended Dec. 12, 2023) governs home occupations. Home occupations must be conducted inside the dwelling, no exterior signage, restricted to residential character. Operators should contact Portsmouth Zoning/Planning Department and the Revenue Office for business license requirements.

Health

Upon-complaint. VDACS may inspect upon consumer complaint per Va. Code §3.2-5130(D).

Business license

Yes

Pickup / delivery

Virginia allows direct sales; Portsmouth home occupation rules may restrict customer visits to the home. Customer pickup may be limited. Farmers markets, events, online (in-state) delivery all permitted.

If you rent a commissary kitchen

VDACS treats a commercial kitchen as a food-processing operation. Virginia cottage food is a home exemption. A commissary or commercial kitchen that manufactures food for sale needs a VDACS inspection and permit. VDACS publishes a commercial-kitchen food-processing application. Local health departments permit restaurants and similar food establishments.

Official source: [VDACS home and commercial kitchen businesses](#)

Local health office we have on file: <https://www.portsmouthva.gov>

This file is the home-kitchen path. A rented kitchen uses a different permit. Ask the kitchen manager which license they expect, then call the local health office.

SOURCES

<https://www.portsmouthva.gov>

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

<https://law.lis.virginia.gov/vacode/3.2-5130/>

<https://www.portsmouthva.gov/DocumentCenter/View/9550/Portsmouth-Ch-402-Portsmouth-Zoning-Ordinance---Amended-Dec-12-2023>

<https://www.cityrulelookup.com/home-business/cottage-food/portsmouth-va>

Portsmouth city and nearby places

Regulation	Portsmouth city	Suffolk city	Hampton city
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No state restriction; Portsmouth home occupation rules do not specifically address pets.	No state restriction; local home occupation rules may apply.	Not prohibited by state statute; kitchen must remain sanitary.
INSPECTION REQUIRED	Upon-complaint	Upon-complaint	No
ON-SITE CUSTOMER PICKUP	Conditional	Conditional	Yes
ON-SITE SIGNAGE	No	Conditional	Conditional
DELIVERY / PICKUP	Virginia allows direct sales; Portsmouth home occupation rules may restrict customer visits to the home. Customer pickup may be limited. Fa...	Virginia allows direct sales; Suffolk City home occupation rules govern customer visits. In-state online sales, farmers markets, and events...	Direct sales only per state law. Sales from home, farmers markets, roadside stands, and online with local delivery.
HOME OCCUPATION PERMIT	Yes	Conditional	Varies
LOCAL BUSINESS LICENSE	Yes	Yes	Varies
RESTRICTIONS	Virginia state law (Va. Code §3.2-5130) allows home kitchen production of non-TCS shelf-stable cottage foods with no registration or inspec...	Virginia state law (Va. Code §3.2-5130) allows home kitchen production of non-TCS shelf-stable cottage foods with no registration or inspec...	Hampton is an independent city in Virginia. Non-TCS shelf-stable foods only. No state registration required. Pickles/acidified vegetables c...
FOOD STORAGE	Non-TCS shelf-stable foods only.	Non-TCS shelf-stable foods only.	Non-TCS shelf-stable products only; stored in food-safe containers.
POPULATION	97,384	94,856	137,217

More pages for this place

These Crosodo pages cover the same home cottage-food path:

Virginia permits PDF: crosodo.com/reports/pdf/permits/virginia.pdf

Virginia cottage food law: crosodo.com/states/virginia

Portsmouth City cottage food law: crosodo.com/states/virginia/portsmouth-city