

## COTTAGE BAKERY FROM HOME

# Can I sell from my kitchen in York County, 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 York County. Confirm each step with Planning, Health, and the license office before you sell.

## What you need

York County, 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

**No**

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/york-county>

**York County cottage food law page →**

<https://crosodo.com/states/virginia/york-county>

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](https://crosodo.com/reports/pdf/permits/virginia.pdf)

State law page: [crosodo.com/states/virginia](https://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. 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.

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

### Health

No. No routine inspection under state cottage food law

### Business license

Yes

### Pickup / delivery

Off-premises sales (markets, delivery) allowed without Special Use Permit. On-site retail requires Special Use Permit with appointment-only restrictions.

**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.yorkcounty.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.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](https://www.yorkcounty.gov/DocumentCenter/View/58839/item4c_091724)

## 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                                                                                                                                         |

## 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](https://crosodo.com/reports/pdf/permits/virginia.pdf)

Virginia cottage food law: [crosodo.com/states/virginia](https://crosodo.com/states/virginia)

York County cottage food law: [crosodo.com/states/virginia/york-county](https://crosodo.com/states/virginia/york-county)