

COTTAGE FOOD LAW REPORT

Powhatan County

Virginia · Powhatan · FIPS 51145 · Population 32,392 ·
Crosodo Index #1713*

STATE BASELINE	STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
Va. Code §3.2-5130	Good	Tiered	MEDIUM	2026-05-06

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.

VIRGINIA: POWHATAN COUNTY

CROSODO INDEX #1713* · FIPS 51145 · Powhatan

Powhatan County

Population 32,392 · State baseline: Va. Code §3.2-5130 · **MEDIUM**

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Virginia state cottage food exemption (Va. Code §3.2-5130) applies. Powhatan County has a detailed home occupation framework under Zoning Ordinance Sec. 83-438(j). Home occupations are permitted by-right (P) in all residential and agricultural zoning districts (A-20, A-10, A-C, RR, RR-5, CR, R-2, VR, VC, R-U, CHSC). Only family members residing in the dwelling may be engaged in the home occupation without a Conditional Use Permit. More intensive home-based businesses (up to 2 non-resident employees) require additional approval. Home bakeries and similar cottage food operations qualify as standard home occupations.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

VDACS home food processing permit pathway requires pets excluded from food prep, storage, packaging, and equipment cleaning areas at all times via solid latching doors. Cottage food exemption has no explicit statutory pet restriction.

HOME OCCUPATION PERMIT?

Conditional (Powhatan County home occupations are permitted by-right in all residential and agricultural zoning districts per Sec. 83-438(j). No separate home occupation permit is required for standard operations. However, a Powhatan County business license is required. Contact the Commissioner of Revenue’s Office (Andrea Ross, 804-598-5616, aross@powhatanva.gov) for business licensing. Home occupation floor area limited to 25% of dwelling; home-based business (2 non-resident employees) limited to 35% of dwelling. One sign of 1 sq ft or less, non-illuminated, mounted on dwelling wall is allowed. For VDACS home food processing permit, written zoning approval is required.)

ON-SITE / PORCH PICKUP?

Conditional

INSPECTION REQUIRED?

Conditional (VDACS home food processing permit: initial inspection required. Cottage food exemption: no routine inspection; complaint-based only.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Virginia state cottage food exemption (Va. Code §3.2-5130) applies. Powhatan County has a detailed home occupation framework under Zoning Ordinance Sec. 83-438(j). Home occupations are permitted by-right (P) in all residential and agricultural zoning districts (A-20, A-10, A-C, RR, RR-5, CR, R-2, VR, VC, R-U, CHSC). Only family members residing in the dwelling may be engaged in the home occupation without a Conditional Use Permit. More intensive home-based businesses (up to 2 non-resident employees) require additional approval. Home bakeries and similar cottage food operations qualify as standard home occupations.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	VDACS home food processing permit pathway requires pets excluded from food prep, storage, packaging, and equipment cleaning areas at all times via solid latching doors. Cottage food exemption has no explicit statutory pet restriction.
WATER SUPPLY	Private water supply requires coliform-free water test results for VDACS home food processing permit pathway.
HANDWASHING	Standard handwashing per GMP for VDACS permit pathway.
FOOD STORAGE	Proper storage to prevent contamination; pet exclusion required for VDACS permit pathway.

Inspection & permitting

INSPECTION REQUIRED	Conditional — VDACS home food processing permit: initial inspection required. Cottage food exemption: no routine inspection; complaint-based only.
HOME OCCUPATION PERMIT	Conditional — Powhatan County home occupations are permitted by-right in all residential and agricultural zoning districts per Sec. 83-438(j). No separate home occupation permit is required for standard operations. However, a Powhatan County business license is required. Contact the Commissioner of Revenue’s Office (Andrea Ross, 804-598-5616, aross@powhatanva.gov) for business licensing. Home occupation floor area limited to 25% of dwelling; home-based business (2 non-resident employees) limited to 35% of dwelling. One sign of 1 sq ft or less, non-illuminated, mounted on dwelling wall is allowed. For VDACS home food processing permit, written zoning approval is required.
LOCAL BUSINESS LICENSE	Yes

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Conditional
ON-SITE SIGNAGE	Yes
DELIVERY / PICKUP RULES	Virginia cottage food exemption: direct sales only. Home pickup and local delivery permitted for non-TCS shelf-stable items. Online sales allowed. Powhatan home occupation rules: no non-family employees without CUP; vehicle deliveries limited; no exterior storage. Home-based business allows up to 5 vehicles dedicated to the occupation.
MAX EMPLOYEES IN HOME	Standard home occupation (Sec. 83-438(j)): no non-family employees without a Conditional Use Permit. Home-based business (Sec. 83-438(k)): up to 2 non-resident employees allowed.

Relevant county code

Powhatan County Zoning Ordinance Sec. 83-438(j) (home occupation) and Sec. 83-438(k) (home-based business); Va. Code §3.2-5130 (cottage food exemption); VDACS Home Food Processing regulations

RESEARCH NOTES

Powhatan County home occupation framework confirmed from official powhatanva.gov document. Home occupations permitted by-right in all residential and agricultural districts. Three sub-categories: standard home occupation (family only, 25% floor area, 1 sq ft sign), home-based business (2 non-resident employees, 35% floor area, CUP if needed), and specialized categories for landscaping/trucking. A county business license is required. State cottage food baseline applies for food rules. Medium confidence: zoning rules confirmed from official source; some details on fees and exact permit process steps not fully retrieved.

SOURCES VERIFIED AT RESEARCH TIME

- <https://www.powhatanva.gov/>

- <https://www.powhatanva.gov/>

- <https://www.powhatanva.gov/DocumentCenter/View/5614/Home-Occupation-Handout>

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

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

Questions? Join the Crosodo Forum to discuss your county's specific zoning rules at <https://crosodo.com/nb/virginia/powhatan-county-discuss>

Bordering counties — cottage food law

Regulation	Powhatan County	Amelia County	Cumberland County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	VDACS home food processing permit pathway requires pets excluded from food prep, storage, packaging, and equipment cleaning areas at all ti...	No specific pet restriction in state cottage food law.	No specific pet restriction in state cottage food law.
INSPECTION REQUIRED	Conditional	No	No
ON-SITE CUSTOMER PICKUP	Conditional	Yes	Yes
ON-SITE SIGNAGE	Yes	Conditional	Conditional
DELIVERY / PICKUP	Virginia cottage food exemption: direct sales only. Home pickup and local delivery permitted for non-TCS shelf-stable items. Online sales a...	Sales allowed only at the producer’s home or at farmers markets and temporary events (events capped at 14 consecutive days). No online sale...	Sales allowed only at the producer’s home or at farmers markets and temporary events (events capped at 14 consecutive days). No online sale...
HOME OCCUPATION PERMIT	Conditional	No	No
LOCAL BUSINESS LICENSE	Yes	Varies	Varies
RESTRICTIONS	Virginia state cottage food exemption (Va. Code §3.2-5130) applies. Powhatan County has a detailed home occupation framework under Zoning O...	Va. Code §3.2-5130 provides the home kitchen food processing exemption. No permit, registration, or inspection required at the state level...	Va. Code §3.2-5130 provides the home kitchen food processing exemption. No permit, registration, or inspection required at the state level...
FOOD STORAGE	Proper storage to prevent contamination; pet exclusion required for VDACS permit pathway.	Non-potentially hazardous (non-TCS), shelf-stable foods only.	Non-potentially hazardous (non-TCS), shelf-stable foods only.
POPULATION	30,503	13,309	9,697

State context — Virginia cottage food law

Powhatan 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

ANNUAL SALES CAP

Tiered

REGISTRATION REQUIRED

No

FOOD HANDLER CERT

No

KITCHEN INSPECTION

No

DIRECT SALES ONLY

Yes

INDIRECT SALES

No — Products must be sold in person in the Commonwealth to an individual for his own consumption and not for resale or consignment. They cannot be offered for sale to be used in or offered for consumption in retail food establishments. Sales venues are limited to: private home, temporary event (no more than 14 consecutive days), or farmers market. Internet advertising is explicitly permitted but sales must remain in-person and in-state.

For the full state-level analysis including the verbatim statute text, see the [Virginia cottage food law report](#).

STATE-LEVEL REFERENCES

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

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?

Join the Crosodo Forum to discuss Powhatan County's specific zoning rules, permits, and what other home bakers are seeing locally.

<https://crosodo.com/nb/virginia/powhatan-county-discuss>
