

COTTAGE FOOD LAW REPORT

York County

Virginia · Yorktown · FIPS 51199 · Population 70,238 ·
Crosodo Index #1681*

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

VIRGINIA: YORK COUNTY

CROSODO INDEX #1681* · 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? Join the Crosodo Forum to discuss your county’s specific zoning rules at <https://crosodo.com/nb/virginia/york-county-discuss>

Bordering counties — cottage food law

Regulation	York County	James City County	Hampton city
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not specified in state law	Not specified in state statute.	Not prohibited by state statute; kitchen must remain sanitary.
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 per state law. Sales from home, farmers markets, roadside stands, and online with local delivery.
HOME OCCUPATION PERMIT	Yes	Varies	Varies
LOCAL BUSINESS LICENSE	Yes	Varies	Varies
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...	Hampton is an independent city in Virginia. Non-TCS shelf-stable foods only. No state registration required. Pickles/acidified vegetables c...
FOOD STORAGE	Appropriate storage for non-PHF products	Non-TCS shelf-stable products must be stored appropriately.	Non-TCS shelf-stable products only; stored in food-safe containers.
POPULATION	70,238	78,818	137,217

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

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 York County's specific zoning rules, permits, and what other home bakers are seeing locally.

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