

city of yes for economic opportunity

Myths and Facts: Home Occupations

✗ **Myth:** City of Yes for Economic Opportunity introduces home occupations where they are currently not allowed.

✓ **Fact:** It makes targeted updates to zoning regulations so they better align with today's work-from-home environment, while keeping robust home business restrictions in place.

The zoning rules for home-based businesses were written in the 1960s and hold back many entrepreneurs, freelancers, and other self-employed New Yorkers from making a living or growing their business.

City of Yes for Economic Opportunity would modernize NYC's home occupation rules. The proposal maintains restrictions on nuisances like noise and odor, sets a clear square-footage cap on home occupations, and forbids home businesses from using common spaces in residential buildings.

What are the proposed changes?

	Home Occupation Today	Proposed Changes
Business Types	<p>✓ Allowed: Jewelry, lawyers, music teachers, nail salons, among others</p> <p>✗ Barred: Advertising or PR agencies, barber shops, beauty parlors, depilatory or electrolysis offices, interior decorators, kennels or stables, ophthalmic dispensing, pharmacies, real estate or insurance offices, stock brokers, vet's offices</p>	Allow currently prohibited businesses, subject to nuisance regulations in zoning (see below) and other City and State regulations over business activities in the home
Size Cap	25% of the home, or 500 square feet (whichever is less)	49% of the home, or 1,000 square feet (whichever is less)
Employees	1 allowed	1-3 allowed
Additional Building Rules	Any building has the right to further restrict home businesses as a condition of leases or condo/co-op rules.	No change

All commonsense restrictions will remain in place:

1. **The home occupation is an "accessory use" of a dwelling unit**, meaning the business owner must reside in the home, and their business activity is clearly incidental or secondary to the residential use of the home.
2. **The business acts as a good neighbor.** The business cannot have signage, storage, or displays of goods visible from the outside – and cannot generate any noise, odor, dust, or other nuisances. No items produced outside of the dwelling unit can be sold from the home – you can run an Etsy business selling your own jewelry, but you cannot open a retail or wholesale shop selling other peoples' jewelry.

DOB can issue zoning violations to a building owner where a home occupation is violating the zoning, including fines and potentially shut down the business.