



NYC Parks

# ADA TRANSITION PLAN



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# Executive Summary

## Agency Overview

NYC Parks manages over 30,000 acres of the City's land. Our parks improve New Yorkers' health and quality of life, providing oases of beauty, recreation, and relaxation, particularly in communities of need. We empower people through participation and training, enhance the public's health from fitness classes to forests, and restore our environment's health and resiliency. Our parks connect and unify diverse constituencies through stewardship, learning, and celebration, thereby strengthening and attracting investment to communities, the building blocks of our great City.

Our vision is to create and sustain a restorative and thriving park system for all. Our mission is to grow, maintain, and program a world-class park system prioritizing equity, access, safety, and nature. Within this ADA Transition Plan, we outline our approach to improving accessibility of our facilities and programming, upholding our goal of creating an inclusive park system for all.

## Accessibility Challenges

Physical accessibility improvements typically involve structural changes beyond regular maintenance. This requires reconstruction or construction of a facility, which is considered a capital project. NYC Parks' capital projects rely on mayoral funding and discretionary budgets from elected officials, often focusing on new initiatives in underserved communities. The limited baseline funding for the reconstruction of many of our facilities such as public restrooms and playgrounds poses a challenge to addressing accessibility in a comprehensive, systematic way, as discretionary funds primarily target specific exterior recreation sites. With generous funding from our elected officials, the agency currently makes great accessibility improvements on discretionary-funded facilities and sites in communities throughout the city.

This plan outlines our continued commitment to accessibility under the current funding reality while also illustrating our aspirations for furthering accessibility should a funding source be identified that would allow for a comprehensive path forward rather than the current project-by-project model. The sheer size of the agency's portfolio limits what is readily achievable without creating an undue financial burden.

In addition to funding challenges, our properties include thousands of facilities constructed decades prior to the establishment of the Americans with Disabilities Act (1990). These aged facilities will be made accessible to the greatest extent possible when materially reconstructed. Many NYC Parks have considerable variable topography and steep terrain, which makes full compliance structurally impractical at some sites. Some historic facilities may not be modified without "threatening or destroying the historical significance."<sup>1</sup> For both conditions, any material modifications of facilities that face partial structural infeasibility or are historically significant will meet the ADA standards to the greatest extent possible.

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<sup>1</sup> Adapted from [2010 Standards for Titles II and III Facilities: 2004 ADAAG, Advisory 202.5 Alterations to Qualified Historic Buildings and Facilities Exception](#)

## **Existing Progress and Processes**

NYC Parks has invested over \$5.35 billion in capital projects over the past decade, which has translated into major accessibility improvements citywide. NYC Parks designs ADA compliance by drafting construction documents with ADA-compliant design. This approach includes using ADA-compliant standard details and specifications in our projects.

Current needs assessment resources have enabled internal staff to check a limited number of our existing facilities for accessibility. These assessments have resulted in existing facility accessibility playing a role in deciding which facilities to reconstruct in our current capital plan.

Demonstrated by our average yearly commitment of over \$500 million in capital, we continue to improve accessibility in every facility that undergoes material construction or reconstruction through our capital work. This is a tremendous investment in moving toward a fully accessible NYC Parks system.

The accessibility section of our website provides information to park patrons of all abilities, and our capital tracker provides information about facilities under construction so our patrons with disabilities can learn about them before they visit. Programming available within recreation centers offers opportunities for patrons with disabilities to participate in a variety of adaptive or inclusive sports and recreational activities.

## **Next Steps**

As the agency continues gaining more detailed knowledge of its facilities from needs assessments, this data will be used to plan future projects. We aspire to have a more complete and thorough assessment of our opportunities for accessibility improvements through a comprehensive survey of our facilities and sites. We acknowledge that this is a valuable exercise while also being aware this is a time-consuming and resource intensive process. The results would foster discussions on accessibility needs with elected officials who contribute funding and join us in improving our facilities. The goal is to make accessibility improvement a key factor in deciding which projects are funded. The agency will continue our current process of designing and constructing all funded facilities to be ADA-compliant, improving accessibility throughout our system.

## **Conclusion**

This ADA Transition Plan is an important opportunity to reinforce our existing accessibility practices, enhance our work with an updated approach, and assure compliance with federal legislation. Therefore, we view this self-evaluation and report as an integral step in our approach to creating accessible spaces for the residents and visitors of New York City. We anticipate a multi-year effort to evaluate and address the agency's facilities and programs comprehensively.

## Americans with Disability Act (ADA) Overview

The Americans with Disabilities Act of 1990 (ADA) is a federal law implemented by the Civil Rights Division of the Department of Justice (DOJ) prohibiting discrimination against people with disabilities. The U.S. Access Board published the 2010 ADA Standards for Accessible Design, the successor to the Uniform Federal Accessible Standards and the 1991 Americans with Disabilities Act Standards for Accessible Design. These guidelines have formed the basis of accessible design at NYC Parks since the ADA was passed.

As Title II describes, state and local governments must provide people with disabilities an equal opportunity to benefit from all programs, services, and activities. Further, the ADA requires public entities to make reasonable accommodations to ensure program accessibility for individuals with disabilities and reasonably modify policies, practices, and procedures.<sup>2</sup> Entities are not required to take any action that would result in undue financial and administrative burdens.<sup>3</sup>

## ADA Transition Plan Requirement<sup>4</sup>

The Americans with Disabilities Act, Title II, requires public agencies to self-evaluate their ability to provide program accessibility to individuals with disabilities. Public entities covered by these requirements must begin this process by evaluating accessibility of programs and services to create an Accessibility Transition Plan. The Transition Plan must detail structural changes that will be undertaken to achieve program access and specify a time frame for their completion.

This Transition Plan for the New York City Department of Parks & Recreation (NYC Parks) has been prepared in accordance with DOJ regulations. This document serves as NYC Parks' self-evaluation and raises awareness of the agency's accessibility initiatives. It reflects the continued collaborative efforts between the City of New York, the Mayor's Office, NYC Parks, the City Council, the State of New York, and the Federal Government.

## Standards of Accessibility

For the purposes of this report, accessibility refers to the facilities, services, or programs in which individuals with disabilities can approach, enter, participate, and use safely and with dignity. Disability is defined as a physical or mental disability that significantly limits one or more major life activities, is recorded as a disability, and/or is regarded as a disability.<sup>5</sup>

Public entities are required to adhere to ADA standards in both physical and program implementation.

### Physical Accessibility

The following is a definition of physical accessibility that we value as an agency and is adapted for use in this report when referring to NYC Parks' facilities.

*Physical accessibility encompasses physical spaces that are easy to approach, enter, operate and/or use safely with dignity by a person with a disability.<sup>6</sup>*

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<sup>2</sup> [ADA Update: A Primer for State and Local Governments](#)

<sup>3</sup> [Americans with Disabilities Act Title II Regulations](#)

<sup>4</sup> Found at and adapted from: [Title 28, Section 35.150 Code of Federal Regulations eCFOR :: 28 CFR 35.150 – Existing Facilities, \(d\) Transition plan, \(3\)](#)

<sup>5</sup> [ADA 101 – ADA Glossary – Legal and Practical Terms C-E](#). District of Columbia, Office of Disability Rights.

<sup>6</sup> Adapted from language at [ADA 101 - ADA Glossary - Legal and Practical Terms A-B | odr \(dc.gov\)](#)

## Program Accessibility

For the purposes of this report, program accessibility is defined as stated in Title 28, Section 35.150 Code of Federal Regulations as follows:

*A public entity shall operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities.<sup>7</sup>*

## Digital Accessibility

Digital accessibility refers to online platforms, websites, and digital resources usable and easily accessed by individuals with disabilities. Ensuring digital accessibility involves designing websites compatible with screen readers, providing alternative text for images, ensuring proper color contrast, and offering keyboard navigation options. Digital accessibility also refers to how park patrons connect with relevant information about the park system.

## Exemptions for Facilities Built Prior to 1992, Structural Impracticability, and Undue Burdens

According to Section 35.151 of Title 28 Code of Federal Regulations (CFR),<sup>8</sup> facilities or parts of facilities where construction began after January 26, 1992, “shall be designed and constructed in such a manner that the facility or part of the facility is readily accessible to and useable by individuals with disabilities.” The same condition applies to facilities materially altered after January 26, 1992, without resulting in undue administrative or financial burden.

Exemptions exist for facilities requiring ADA compliance when full accessibility is structurally impractical, as proven by the agency, or when terrain prevents the implementation of accessible features. Exemptions also exist for historic structures where modification would “threaten or destroy the historical significance.”<sup>9</sup> In these cases, compliance is required to the extent that it is not structurally impractical. When improvements to achieving compliance may be structurally impractical for some individuals with disabilities but not for others, they must be incorporated to the greatest extent possible.

Additionally, the code includes exemptions for alterations that would result in undue financial and administrative burdens to the agency and the City of New York.<sup>10</sup> NYC Parks has thousands of facilities constructed prior to ADA implementation on January 26, 1992. In many of these aging facilities, some upgrades would be structurally impractical, impact historical significance, and/or cause undue financial and administrative burden to the agency and/or the City of New York. Should these facilities be reconstructed or materially altered in the future, they must comply with ADA standards outside of allowable exemptions.

## Agency Accessibility Overview and Progress

Adhering to ADA design guidelines for all our newly constructed or reconstructed facilities is a fundamental tenet of our mission to enrich the lives of all park patrons through high-quality parks and public amenities.

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<sup>7</sup> [Title 28, Section 35.151 Code of Federal Regulations](#)

<sup>8</sup> [Title 28, Section 35.151 Code of Federal Regulations eCFR :: 28 CFR 35.151 -- New construction and alterations.](#)

<sup>9</sup> [2010 Standards for Titles II and III Facilities: 2004 ADAAG, Advisory 202.5 Alterations to Qualified Historic Buildings and Facilities Exception](#)

<sup>10</sup> [Title 28, Section 35.150 Code of Federal Regulations eCFR :: 28 CFR 35.150 – Existing Facilities](#)

NYC Parks' capital projects are funded through mayoral funding and other elected officials' budgets, much of it discretionary. The mayoral funding is typically focused on larger projects and new initiatives, such as building new recreation centers in underserved communities. We don't have baseline funding to reconstruct many of our typical public restroom buildings, playgrounds, sports fields, and more. Reconstruction of exterior recreational spaces is mainly funded through discretionary sources earmarked for single, specific sites. It is often difficult to acquire funding for both a playground or recreational space and a public restroom building within it due to the large cost the two projects combined represent. The funded focus capacity is therefore often limited to the playground or recreational space.

With this targeted funding, NYC Parks enhances accessibility at each facility funded by our elected officials. This funding model prioritizes facilities identified and selected by our elected officials within their designated city council districts and boroughs. NYC Parks continues to make significant progress on improving accessibility systemwide by focusing on each facility built or reconstructed, making them ADA-compliant on a project-by-project basis. With an investment of over \$5.35B over the past ten years, an average of \$500M of improvements is completed yearly. This significant amount of capital dollars is improving accessibility on a citywide scale.

New facilities offer an opportunity to design and build fully in adherence to modern accessibility standards. It's important to note that a significant majority of completed playground and public restroom building projects involve renovation or reconstruction of existing facilities, which focuses on integrating accessibility into the design for facilities that were constructed decades ago. NYC Parks is committed to addressing challenging accessibility issues when working with existing structures. Our accomplishments underscore NYC Parks' ongoing commitment to improving accessibility throughout our portfolio of existing facilities. Since 2015 alone, NYC Parks has increased accessibility citywide by reconstructing 168 playgrounds and 112 public restroom buildings. Our Anchor Park and Community Parks Initiatives demonstrate significant capital investments and improvements to existing facilities in underserved communities throughout the city.

The agency reports the statistics for these projects citywide through the "eligible capital projects including accessibility improvements" metrics in the yearly [Mayor's Management Report](#) (MMR). This was implemented as of the Fiscal 2023 MMR. This report emphasizes the importance of accessibility in NYC Parks' capital project portfolio.

Throughout the design process, we emphasize accessibility as a critical consideration. Our approach starts with analyzing the site for any existing barriers during pre-design. Once accessibility improvements are included in the approved schematic design, senior staff quality check drawings throughout the technical construction documenting review. This results in accessibility being considered in every project's final technical construction drawing and specification set. Where existing conditions limit full compliance due to adjacent site conditions/site terrain or where accessibility measures are structurally impractical, the agency troubleshoots design solutions to continuously improve accessibility within other areas of the site to the greatest extent feasible.

NYC Parks also advances accessibility by expanding the use of our standard accessible site elements to benefit systemwide accessibility. For example, NYC Parks worked closely with our vendors to develop accessible exterior drinking fountains and bottle fillers that were not previously available. These features are included in every open space and public restroom

project where we place exterior drinking fountains and bottle fillers. Over 550 accessible bottle filler/drinking fountains have been installed citywide to date.

Programmatically we offer inclusive and adaptive sports and accessible recreational opportunities at many of our recreation centers. Additionally, we host a variety of annual outdoor events and programs such as Fall Fitness Festival, Movies Under the Stars which is our outdoor free summer movie series, and others in accessible areas of our parks.

NYC Parks' digital website accessibility has been upgraded through various improvements. As a result of these upgrades, our website includes information about accessible facilities, events, and language access. Our digital content partially conforms with Web Content Accessibility Guidelines (WCAG) 2.1 level AA.

NYC Parks will continue to use established methods for providing in-person sign language interpretation, assistive listening devices, documents in braille, and closed captioning of videos when requested at least three days prior. These established methods include video remote interpretation and Communication Access Realtime Transcript (CART). NYC Parks Media Labs provide screen readers and magnification software on publicly available computers.

Diverse facilities, budget constraints, lack of dedicated yearly funding streams for many of our facility types, varying site conditions, competition with health and safety or state-of-good repair needs, and complicated construction logistics present constant challenges. However, NYC Parks remains committed to leveraging available resources, seeking funding opportunities, and employing innovative strategies to continuously improve access and adhere to ADA standards.

## **Current ADA Transition Plan**

NYC Parks is developing this ADA Transition Plan to fulfill our requirements under the Americans with Disabilities Act (ADA) and guide the agency's staff in advocating for funding a more accessible parks system.

The development of the ADA Transition Plan supports the agency's ongoing efforts to improve systemwide accessibility. It demonstrates our commitment to ensuring equal recreation opportunities for all New York City residents and visitors. By doing so, NYC Parks reaffirms our dedication to ensuring that all park properties remain welcoming, inclusive, and accessible to everyone, regardless of their abilities.

This plan is a strategic framework designed to guide our future endeavors in enhancing accessibility throughout our park system. By conducting assessments across our facilities, we will gain critical insights into the current state of accessibility within our park system. This information will guide our discussions with elected officials and in advocating for dedicated funding, allowing us the flexibility to address accessibility issues systemwide or to understand and focus strategically on areas with limited accessibility. This will enable us to advocate for improving facilities where data shows accessibility improvements are most needed. In addition to physical facilities, this Transition Plan examines digital accessibility and public programs.

The success of the Transition Plan involves a collaborative effort of all divisions at NYC Parks with continued support from elected officials and others who fund capital improvements and maintenance. This document serves as a tool to raise awareness about the agency's efforts to create a more accessible parks system and to advocate for continued funding and support going forward.



## **Facility and Program Conditions and Assessment Findings**

NYC Parks manages an extensive portfolio of properties across the five boroughs, presenting unique accessibility challenges. In addition to the standard facilities such as playgrounds, public restroom buildings, recreation centers, and pools, NYC Parks leases many concession facilities and manages a portfolio of historic houses. Each facility necessitates a site-specific strategy for addressing accessibility issues. It is important to remember that many of our facilities were constructed before the ADA legislation passed in 1990 and became effective in 1992.

Maintaining accessibility often requires continuous care and modification. The degradation of sites resulting from the uniquely heavy use inherent to New York City's densely populated neighborhoods involves the reconstruction of site elements regularly. These reconstructions present opportunities to improve and maintain accessibility, including but not limited to installing inclusive play equipment, providing accessible seating in assembly areas, and offering accessible amenities such as drinking fountains and public restrooms. Accessibility information is continuously updated on our website. NYC Parks continues to provide existing and new inclusive and adaptive sports and recreational programs at many of our recreation centers citywide. Additionally, we schedule public events in accessible locations where and when possible, providing reasonable accommodations as needed when locations are not accessible.

In our ongoing assessment of NYC Parks' accessibility, the agency will examine physical, digital, and programmatic accessibility. All three dimensions serve to connect all park patrons with public spaces and services.

## **Existing Design Policies and Practices**

The agency has many policies and practices to assure that projects are designed and built according to ADA guidelines. As our landscape architects, architects, engineers, and consultants move through the iterative design process, bid document preparation, and project construction, we carefully review slopes, ramps, doors, accessible play options, interior spaces, and fixtures so that they meet ADA standards.

Landscape Architects working on our exterior site projects aim to make each site as accessible as possible. Pathways are designed to prioritize sloped walkways with less than 5% grade, minimizing the use of ramps. Standalone sets of stairs are limited to secondary pathways and/or only where necessary because of existing topographic conditions. Many of our standard site detail drawing sheets include ADA at their core. Standardized accessible site furnishings including tables, chairs, drinking fountains, and bottle fillers, are contained throughout our standard drawing set. Standard drainage covers and frames used in publicly accessible paved areas meet ADA standards.

Architects designing our buildings start all design projects with a complete survey to identify any accessibility issues requiring reconstruction. Designs include ramps, lifts, and elevators, with the proper clearances, fixture locations, mountings, and fixture types to bring all our facilities into compliance. The designers design all common areas that are part of the capital scope, such as lobbies, restrooms, locker rooms, and offices, at a minimum to meet all City, State, and Federal Code requirements as related to ADA in the most equitable way possible. Our standard drawing set template for building projects includes an ADA standards sheet containing many of the details necessary to meet regulations. Agency staff refer to this sheet during both design and construction.

We develop standard practices that allow us to maintain accessibility without high maintenance. One example is using low-maintenance paving surfaces. While loose stone screenings can

theoretically be ADA-compliant, they require intensive and continued care to maintain an even surface, so this material is avoided in our designs. This shows that we think not only about conditions following construction but also about the accessibility of materials as they age over time. We emphasize accessibility as a key component for vendors, as indicated in our standard material and furniture specifications.

Our standard play equipment specification requires ADA compliance. Play equipment suppliers vetted by the agency know ADA standards and provide compliant play structures for children of all abilities. We strive to exceed ADA standards for play equipment and have worked with manufacturers to create innovative, new, engaging, and accessible components.

Existing policies and practices show dedication to meeting ADA compliance in both constructed and reconstructed agency facilities. This has resulted in greater accessibility throughout our system and in each facility we work on.

### **Physical Accessibility**

NYC Parks maintains a vision of an entirely accessible park system. Our physical facilities include concessions, playgrounds, public restroom buildings, recreation centers, pools, historic houses, beaches, esplanades, bridges, etc. ADA compliance is required for all newly constructed or materially reconstructed facilities. Our extensive portfolio contains thousands of facilities built before the ADA was enacted. While these pre-ADA existing facilities may not be fully compliant, most have some accessible features or portions that are accessible. Progress on our Capital Plan creates more accessible facilities each year. Over the past ten years, this has averaged over \$500 million for facility improvements per year.

As of our April 2024 Capital Plan, we have over \$8.4 billion in capital improvements planned over the next ten years, significantly improving accessibility. This includes an estimated \$500 million investment in five new indoor multi-sport fully accessible recreation centers, an enormous step and investment for historically underserved communities.

#### *Concessions*

Approximately 400 sport, food, and other concessions operate within the NYC Parks system. These range from push carts and facilities with a small footprint such as newsstands and walk-up food kiosks to some of the large-scale sites including the City's largest amusement parks, golf courses, ice skating facilities, and tennis facilities.

Of these concessions, over 100 are brick and mortar facilities that must at a minimum meet all City, State, and Federal Code requirements as related to ADA. These facilities are managed by private entities that pay license fees, assume maintenance obligations and commit private funds for capital improvements. The total private capital commitment included in all active license agreements exceeds \$180 Million. Parks Business Development and Special Events Division (BDSE) has prioritized improving accessibility at these concessions, and all agreements include requirements to make upgrades to meet or exceed ADA Standards.

Many concession facilities were constructed before the passage of the ADA, like many of our other agency facilities. Accessibility is a high priority consideration in issuing Request For Proposals (RFP) and in awarding license agreements. We seek proposals that include comprehensive studies and improvements to accessibility. Additionally, we look for proposals that include public programming and planned operations that prioritize access for all. These proposed programs and improvements become contractual obligations upon award.

#### *Playgrounds*

Playgrounds typically consist of play equipment for two age ranges (2-to-5 and 5-to-12-year-olds), spray showers, free play, and seating. These areas vary in size and configuration and serve as important community anchors for children and families.

Many playgrounds were constructed years before the ADA, presenting opportunities to improve accessibility and follow modern standards for play equipment. However, the topography/terrain of sites and adjacent streets can pose challenges to achieving accessibility. Complete reconstruction is often required to bring playgrounds into compliance with both the ADA and current play safety standards. In addition to upgraded play equipment to meet ADA, designs include other useful, accessible site amenities such as drinking fountains.

The agency has inspected all playgrounds with in-house staff for accessible site features. Of 1,016 playgrounds, 908 are identified as containing all accessible site features that we desire.

### *Public Restroom Buildings*

Public Restroom Buildings (PRBs) are a public amenity of vital importance in New York City, addressing the needs of all patrons who spend time in parks. PRBs are standalone restroom buildings that are not located within a larger facility. NYC Parks is the single largest operator of public restrooms available, providing an essential service while maintaining hundreds of these heavily used public buildings. As of 2023, NYC Parks has 622 public restroom buildings. This number increases every year as we build more.

Many existing PRBs were built before the ADA, posing significant challenges when renovating for compliance. Newly constructed and renovated PRBs are some of the most impactful NYC Parks' capital projects because they address the critical need for public restrooms throughout NYC. They are also expensive to renovate and construct because they include all the costly fixtures, utilities, and structures found as part of other larger structures, all within a small footprint. While they are a necessary amenity for all park patrons, renovations are time and resource intensive. By providing accessible public restroom buildings, NYC Parks enhances the overall accessibility and inclusivity of the public realm, fostering a more welcoming environment for everyone.

To be considered accessible, PRBs must follow many ADA standards, including specific door and stall widths, adequate turning radii, and fixture heights. New public restroom buildings are designed and built to meet ADA standards. This includes reconstructing adjacent exterior access routes and adjusting threshold grading for accessibility to create a flush and even transition from pathways/spaces into the building.

Since 2015, 112 public restroom buildings have been constructed or reconstructed, all designed to be fully accessible. To date, the agency has thoroughly evaluated the accessibility of 175 of 622 PRBs with in-house staff. NYC Parks has seven new and existing PRBs in design and another 13 in construction. These PRBs will be fully compliant once reconstructed. Additional funding and more resources would allow us to complete a comprehensive inventory of accessibility at the remaining public restroom buildings and ultimately reconstruct more facilities at an accelerated pace.

### *Recreation Centers*

Recreation centers serve as vital community hubs with amenities for community members' athletic, social, and educational needs. Offering a wide range of programs and services, these centers play a crucial role in fostering social connections, promoting well-being, and offering opportunities for people of all ages and abilities. Most existing recreation centers were built

decades before the ADA. At the same time these buildings and their interior recreation uses have evolved.

Recreation centers are often large buildings. In many instances, portions of the facility are ADA-compliant, while other areas of the same facility may fall short based on the year it was built or reconstructed. Age, landmark status, and sheer size pose significant challenges to retrofitting many facilities for full ADA accessibility.

Recognizing the significance of recreation centers to the populations they serve; NYC Parks is committed to ensuring these facilities are accessible to all. New recreation centers are constructed with full ADA compliance, and renovations that materially alter existing recreation centers and adjacent site features are upgraded to assure compliance in renovated areas.

The agency has comprehensively evaluated accessibility at 17 of 36 recreation centers. NYC Parks has five more new recreation centers currently being designed in five underserved neighborhoods in the Bronx, Brooklyn, Queens, and Staten Island. These facilities will be fully ADA-compliant. As the agency continues to improve the accessibility of recreation centers through its capital program, these community hubs will fulfill the needs of all park patrons.

### *Pools*

Public pools provide opportunities for cooling, fun, fitness, and learning about water safety. They serve as key hubs for swimming lessons, water-based fitness programs, and competitive swimming. Pools and the surrounding facilities offer unique amenities and recreational opportunities while having specific maintenance challenges. Ensuring accessibility in pool facilities requires installing and frequently maintaining specialized equipment. This requires a significant investment and involves staff and continual upkeep, repair, and resources.

In addition to accessible standard facility elements (e.g., pathways, doorways, etc.), ADA pool lifts enable individuals with mobility limitations to enter and exit the water safely. Many facilities require changing areas with proper assistive devices to create an accessible environment for all pool patrons. NYC Parks also has a smaller set of mini pools with similar accessibility challenges and needs.

In 2020 and 2022, the agency or its consultants thoroughly inspected 11 of 48 pools. In addition to these inspections, we've identified 36 of our pools with some accessible features. Four mini pools were recently constructed or reconstructed within historically underserved neighborhoods, increasing accessibility in our facility portfolio. One additional accessible mini pool is under construction, resulting in five constructed/reconstructed pools designed to be fully ADA-compliant. As the agency continues to improve pool facilities through its capital program, facilities will be built/reconstructed to meet ADA compliance.

### *Historic Houses*

NYC Parks works with the Historic House Trust of New York City (HHT), a 501(c) non-profit organization, to preserve the City's 22 publicly owned historic sites. These facilities provide a window into New York City's past and serve as important educational resources. Enhancing accessibility at these historic sites is an important and delicate task due to efforts to respect and preserve their original architectural features and design intent.

Collaborating closely with HHT, NYC Parks strives to find innovative solutions that provide equitable access to these historic facilities, allowing people of all abilities to explore and appreciate their rich histories. This involves careful consideration of site accessibility features



such as ramps and accessible pathways that complement without compromising the historical character of the sites and structures.

In 2020, with grant funding, HHT hired a consultant team from United Spinal Association to complete a comprehensive study of all 22 of its partner sites. HHT has confirmed that eight facilities are compliant with ADA accessibility guidelines. HHT and NYC Parks are currently embarking on accessibility improvements at ten of its sites. HHT will continue undertaking both physical and programmatic projects to address accessibility challenges identified in the study at all 22 sites as budget and resources allow.

### **Programmatic Accessibility**

NYC Parks offers a variety of inclusive and adaptive sports and recreational programs citywide throughout many of our recreation centers such as Shape Up NYC, fitness classes, adaptive swim, media education workshops, sports like youth and adult wheelchair basketball, sled hockey, and others. As new and reconstructed recreation centers are completed through future capital construction, NYC Parks will continue to increase inclusive and adaptive recreation programs for persons with disabilities.

Each year, NYC Parks hosts a variety of public events, many of which include inclusive or adaptive activities for persons with disabilities. This includes family festivals in parks and our summer movie series - Movies Under the Stars. Many of these events are held in accessible locations within large parks and playgrounds across the five boroughs, with bathrooms on site.

Many outdoor programs like nature exploration walks and historic and cultural programs by the Urban Park Rangers are held at accessible locations including some with accessible bathrooms in the area or on-site. Some programs do have physical limitations due to the terrain of natural areas.

For public events, reasonable accommodations must be made with three days' notice by using the contact information located at the bottom of every event flyer, as per NYC Local Law 28.

### **Digital Accessibility**

The NYC Parks website ([nycgovparks.org](https://nycgovparks.org)) is the agency's official web presence and provides up to date information about the wide range of facilities, programming, and services offered by NYC Parks. One of our public tools hosted by the NYC Parks' website is our [Capital Project Tracker](#), which provides up-to-date information about park closures, capital project work, and which facilities are unavailable due to construction at any given time.

NYC Parks' website details information about facility amenities (including accessibility), scheduled programming, and other opportunities across the NYC Parks' system. Our digital content partially conforms with Web Content Accessibility Guidelines (WCAG) 2.1 level AA. Partially conformant means that some parts of the content do not yet fully conform to this accessibility standard.

Our website accessibility statement illustrates our commitment to assuring our digital content is accessible:

*NYC Parks is committed to ensuring its digital content is accessible to and usable by people with disabilities. We are continually improving the user experience for everyone and applying the relevant accessibility standards.*

Specific improvements added to make the website more accessible include:

- The name and contact information, including email, mailing address, and phone number of our Disability Service Facilitator (DSF) designated pursuant to Local Law 27 of 2016 (codified as NYC Admin Code § 23-1002)
- A link to our agency's grievance procedure
- A link to our agency's website accessibility statement
- NYC Parks online posts avoid using ASCII text on all of NYC Parks' social media platforms.

## **Transition Plan Next Steps**

The steps outlined in this Transition Plan layer on work already in progress. The steps are classified into the following categories:

- Improvement in physical accessibility, digital assets, and programmatic accessibility
- Design policies/procedures
- Timeline
- Tracking
- Public involvement

The most significant challenge to systemwide accessibility is funding. We also face limitations in staffing resources that affect the speed at which we can progress and complete a system-wide analysis of accessibility issues in our portfolio of properties and programs.

The agency continues to advocate for funding to address accessibility systemwide and will continue to address accessibility project-by-project as we receive project funding. We will work with our elected officials to further our investments focused on accessibility, stressing the importance of accessibility when discussing facilities and funding. We continue to assess accessibility needs in existing facilities as staff time, resources, and schedule allows. This approach builds upon the strides toward accessibility discussed earlier in the report and is represented in the over \$500 million of capital construction completed yearly. We will continue to update our website over time and seek opportunities to enhance our public programs as needed.

## **Physical Accessibility**

The agency will continue to build new facilities that comply with ADA standards. Reconstruction of existing facilities will comply with ADA standards to the greatest extent possible, with the few exceptions identified in this report that prevent compliance.

The agency will continue inspecting NYC Parks' facilities with in-house staff or by hiring consultants as resources and funding allow. Public restrooms serve the basic needs of all patrons, and recreation centers serve multiple varied needs and are sites with lots of year-round programming. We will maximize the effectiveness of our assessment effort by starting with and prioritizing completing accessibility surveys of public restroom buildings and recreation centers. This will be followed by an assessment of other facilities that are heavily programmed and used, including pools, ice rinks, and boardwalks, followed by other assets until we have a complete assessment. We will use this information yearly as we continue to gather more data to inform our planning and funding requests for capital improvements. As we speak with the elected officials, we will share the accessibility status of the facilities that have already been evaluated within their districts as the data becomes available.

When discussing future project-based funding with the community and elected officials, the agency will continue to emphasize the importance of upgrading accessibility. By focusing on this issue, we will reinforce the message that accessibility is an integral part of all NYC Parks projects. Every facility that we tackle with our partners is an investment in improving accessibility.

## **Programmatic Accessibility**

We will continue to look to incorporate innovative adaptive and inclusive public programs and opportunities for persons with disabilities. As we open new or reconstruct existing recreation centers, they will provide additional accessibility at more sites throughout the city. When reasonable accommodation requests are received, we will respond and provide solutions.

## **Digital Accessibility**

The website will be updated as needed to facilitate accessibility. We will continue to update our capital tracker to indicate which sites are under construction, and information about accessibility features at our playgrounds will continue to be updated as capital projects are completed.

## **Design Policies and Procedures**

Capital projects that materially alter our facilities will continue to be designed to meet or exceed ADA standards. The agency will continue our focus on accessibility when developing new or refining existing standard construction details and specifications. These essential components of all our designs form the building blocks of a more accessible space. As demonstrated by our accomplishments in improving accessibility in facilities, we will continue our accessibility work, take any lessons learned from specific facilities, and apply them systemwide.

The agency will continue to work with existing and new vendors involved in our projects and emphasize the inclusion of products designed and fabricated for greater inclusion and accessibility. This helps improve accessibility and inclusion of those with disabilities throughout NYC Parks' capital projects. Often, the agency's efforts benefit other projects' accessibility our vendors are involved in outside of NYC Parks.

## **Timeline**

Future capital projects that construct, reconstruct, or materially alter facilities will continue to comply with the ADA. While an exact timeline to complete all desired accessibility improvements is challenging to predict, our record of reconstructing an average of \$500 million in projects per year through our Capital Plan represents significant progress. This continued funding and momentum allows us to tackle many facilities yearly, moving toward a more accessible parks system each year.

## **Tracking**

Over the past decade, NYC Parks has spent over \$5.35 billion on capital projects, renovating and constructing facilities and improving accessibility citywide. As of the April 2024 Capital Plan, NYC Parks is projected to spend over \$8.4 billion renovating and constructing projects across the five boroughs over the next ten years. Our [Capital Project Tracker](#) records this effort regularly, showing which projects the agency has in design, procurement, and construction. The capital tracker illustrates our commitment toward accessibility and can be viewed by the public at any point. The yearly published [Mayor's Management Report](#) includes a metric indicating the percentage of "eligible capital projects, including accessibility improvements."

## **Public Involvement**

The Transition Plan is for public viewing and is available online. Any public feedback on this document shall be made to the Disability Service Facilitator. Contact information may be found below. NYC Parks is interested in hearing feedback from its patrons so that we may fulfill our mission to grow, maintain, and program a world-class park system prioritizing equity, access, safety, and nature.

## **Responsible Party**

Rain Credle is the Disability Service Facilitator for NYC Parks. The Disability Service Facilitator works with all divisions of NYC Parks to coordinate the agency's accessibility efforts.

Patron complaints shall be submitted via the ADA Complaint form, which is located on the agency website at the following link: [ADA Complaints](#).

Reasonable accommodation requests shall be submitted via the Reasonable Accommodation Request Form at the following link: [Reasonable Accommodation Requests](#) or by postal mail:

Rain Credle  
Disability Service Facilitator  
Arsenal North  
1234 Fifth Avenue, 2<sup>nd</sup> Floor  
New York, NY 10029

All other questions regarding accessibility shall be submitted via the online form: [Other Accessibility Questions](#), by phone at 212-360-2715 or by postal mail:

Rain Credle  
Disability Service Facilitator  
Arsenal North  
1234 Fifth Avenue, 2<sup>nd</sup> Floor  
New York, NY 10029



The most up-to-date information on NYC Parks' accessibility efforts and standards can be found on our [website](#).

## **Conclusion**

This Transition Plan demonstrates NYC Parks' commitment to ADA compliance, creating an inclusive park system. Implementing this plan emphasizes our commitment to accessibility within NYC Parks' mission to grow, maintain, and program a world-class park system prioritizing equity, access, safety, and nature. Including accessibility metrics in the Mayor's Management Report (MMR), promoting accessible facilities on our website, seeking out public program improvements, and highlighting accessibility to our funding partners will continue the conversation on improving accessibility across the five boroughs and how we plan to grow our efforts.

The over \$5.35 billion capital investment in the past decade has made many facilities more accessible. This has included investments in community parks, regional parks, and new recreation centers. These improvements have resulted from dedicated funding to projects in underserved communities. With every project we build, we improve accessibility. We are excited to be able to make accessibility improvements on every capital project we undertake in the future, with over \$8.4 billion of facility upgrades over the next ten years.

## Glossary

Accessibility – Referring to usability by a person with a disability, applying to an environment, product/service, program, or activity.<sup>11</sup>

Agency – Referring to the New York City Department of Parks & Recreation (also referenced as NYC Parks or Parks)

Americans with Disabilities Act (ADA) of 1990 – The federal civil rights law that prohibits discrimination against people with disabilities in everyday activities and guarantees that people with disabilities have the same opportunities to participate in state and local government programs.

Anchor Parks Initiative – A program allocating \$30 million in funding for projects in parks that serve neighborhood anchors, one in each borough. Each borough's park was selected based on historically underinvested parks with high surrounding populations.

Capital Division – The division responsible for redesigning and rebuilding most facilities (sites and buildings) within NYC Parks' deeded land. Typical projects include playgrounds, bike paths, sea walls, outdoor pools, public restroom buildings, boardwalks, sports fields/courts, natural areas, and recreation centers.

Capital Plan – The planned spending strategy to improve the City's assets and infrastructure over the next ten years. The Mayor's Office of Management and Budget (OMB) oversees the budget. The plan is funded primarily through the issuance of bonds and includes funding from federal, state, and private grants. The capital plan is presented in the Preliminary Budget in January of each year and refined in the Executive Budget in April. The City Council adopts the budget in June and the Adopted Capital Commitment Plan is published in the fall.

Capital Project – A project constructed by NYC that has a value greater than \$50,000, is in place for at least five years, must be a contiguous part of a system, and extends the useful life of the asset, funded through bond sales.

Capital Project Tracker – The website that tracks all Capital Division projects underway during design, procurement, construction, and completion. The tracker allows all members of the public to view status of each capital project.

Community Parks Initiative – NYC Parks' investment in neighborhood parks with the greatest needs. These targeted capital improvements allow communities to take pride in a park well-cared for in their backyard.

Construction Documents – The construction drawings and contract book (specifications, contract requirements, and other written documents) that instruct the contractor on building the proposed design.

Department of Justice (DOJ) – The federal executive department of the United States government responsible for the enforcement of federal law

Digital Accessibility – Making digital resources usable by people of all abilities, including individuals with disabilities.

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<sup>11</sup> [Northeast ADA Center, Accessible.](#)

Disability – A legal term referring to a physical or mental disability that substantially limits one or more major life activities.<sup>12</sup>

Equal Opportunity – Meaning a person with a Disability has the same chance to get a job, receive services from a state or local government, or access a business/nonprofit as someone without a Disability.<sup>13</sup>

Facility – All or any portion of buildings, structures, sites, complexes, or equipment, including roads, walks, passageways, and the site where the building, property, structure, or equipment is located.<sup>14</sup>

Individual/Person with a Disability – Someone who has a physical or mental disability that substantially limits one or more major life activities, has a record of such a disability, or is perceived by others as having such a disability.<sup>15</sup>

Mayor's Management Report (MMR) – The report released twice a year serves as a public account of the performance of City's agencies, measuring whether they are delivering services efficiently, effectively, and expeditiously.

Structurally Impractical – "Rare circumstances when the unique characteristics of terrain prevent the incorporation of accessibility features."<sup>16</sup>

Title 28 of the Code of Federal Regulations (CFR) – The judicial administration portion of the Code of Federal Regulations. It is the code for the general and permanent rules of the Federal Government.<sup>17</sup>

Titles of the ADA<sup>18</sup>

Title I – Requires employers to provide people with disabilities equal opportunity to benefit from employment-related opportunities, including recruitment, hiring, promotions, training, pay, and social activities.

Title II – Prohibits discrimination based on disability in state and local government services.

Title III – Prohibits discrimination based on disability in all the activities of places of public accommodation and requires newly constructed or altered places of public accommodation to comply with the ADA Standards. 42 U.S.C. 12181B89

Title IV - Requires telecommunication companies to provide communication services for users with hearing and speech disabilities.

Title V – Outlines other requirements for implementing the legislation.

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<sup>12</sup> [ADA National Network, What is the definition of disability under the ADA?](#)

<sup>13</sup> [Northeast ADA Center, Equal opportunity.](#)

<sup>14</sup> [Legal Information Institute.](#)

<sup>15</sup> Adapted from: [Introduction to the Americans with Disabilities Act](#)

<sup>16</sup> Found at and adapted from: [Title 28, Section 35.151 Code of Federal Regulations eCFR :: 28 CFR 35.151 – New construction and alterations](#)

<sup>17</sup> [Using the eCFR Point-in-Time System](#)

<sup>18</sup> [Introduction to the Americans with Disabilities Act](#)

Undue Burden – A requirement of Title II or Title III of the Americans with Disabilities Act (ADA) that would cause significant difficulty or expense if carried out, such as administrative or financial difficulty.<sup>19</sup>

Undue Hardship – As referenced in Title I of the Americans with Disabilities Act (ADA), an accommodation that would cause significant difficulty to an employer.<sup>20</sup>

UFAS – Uniform Federal Accessibility Standards

Web Content Accessibility Guidelines (WCAG) - Defines requirements for designers and developers to improve accessibility for people with disabilities. It defines three levels of conformance: Level A, Level AA, and Level AAA.

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<sup>19</sup> [Northeast ADA Center. Undue burden](#)

<sup>20</sup> [Northeast ADA Center. Undue hardship](#)



