Using Zoning to Make Subways Accessible

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According to the New York Times, less than a quarter of the almost 500 subway stations in all five boroughs have elevators, which is among the lowest of any transit system in the world. And you better hope the elevator is working, for someone with a disability, a broken elevator means a cancelled doctor visit or adding additional time, even hours, to access a working elevator and getting to an appointment. Seniors disproportionately need elevators too, with a growing aging population on the Upper West Side (2010 Census results show that seniors have increased by 44 percent, to almost 42,000 adults), and all of New York City is aging as Baby Boomers retire. In the decade between 2005 and 2015, New Yorkers over 65 grew by almost 20%, more than double the overall population growth of NYC (8%). There are over 1.1 million seniors over 65 in New York City, representing about an eighth of the population. All those aging knees are going to need elevators, and we are not building them nearly fast enough.

Recently, money was allocated to make cosmetic improvements on subway stations along Central Park West, including at 110th Street on the B and C lines. Despite shutting down the station for months, no elevator was included in the scope of work. Now an elevator costs millions of dollars, but keep in mind that there is not a single elevator between 59th and 125th Street on that line. Recently, disability advocates successfully sued the [Metropolitan Transportation Authority](https://www.bloomberg.com/quote/26585Z:US) in a lawsuit brought under the Americans with Disabilities Act, and now the MTA must install elevators in all subway stations when its renovations involve the replacement of stairs. In a ruling by U.S. District Judge Edgardo Ramos, the MTA is obligated to install elevators without regard to cost, unless it’s not technically feasible.

That is all well and good, but still a cash-strapped MTA is not going to come up with billions of dollars needed to make the improvements, even with the congestion pricing being contemplated by the state legislature this year. One thing we can do is consider how we can use local zoning, specifically transportation overlays, to assist us. Take for example the 1 train stop at 110th and Broadway. The southwest corner (which is now a newly-opened CVS Pharmacy) is a one-story building underdeveloped according to the local zoning. At some point that site will be developed into a multifamily apartment building. Community Board 7 should consider a transportation overlay now, to make any future development on that site pay for a second stair and an elevator. The building has higher value by its close proximity to the subway, why not capture some of that value by requiring the developer to pay for some of the improvements to the subway? If necessary, I would even argue in favor of a slight upzoning of the site, to allow some additional density in exchange for the developer paying for the improvements.

Same with 125th Street and Broadway. There are two potential development sites, one at the southwest corner, currently a McDonald’s but owned by Columbia as part of their Manhattanville expansion. And the other on the southeast corner, currently a privately-owned one-story retail strip in front of NYCHA Grant Houses. We should rezone those two sites – requiring subway improvements – in this case, elevators to the elevated tracks, for the 1 stop at 125th Street. We could have done the same rezoning for the B & C lines when the building the Circa was being constructed at the northeast corner of 110th and Central Park West. We missed our chance there, but let’s not miss out on the Broadway subway stops.