



## Development Review Report (DRR)

**To:** Planning & Zoning Board  
**From:** Molly Howson, City Planner  
**RE:** Amendment to the Land Development Regulations– Financial Institutions, Drive-Through Uses  
**Date:** January 21, 2026

Staff has received a request to amend the Land Development Regulations (LDRs) from the public, Hope Calhoun, Esq. of Miskal and Backman LLP on behalf of Lauderhill Mall Investment, LLC, and staff has reviewed the application & prepared this report for your consideration. The matter before the Planning and Zoning Board is a proposed ordinance amending the Land Development Regulations (LDRs) as they pertain to “Financial Institutions, Drive-Through Uses.” The request from the applicant is to changes to the Land Use Category of “Financial Institutions, Drive-Through” to include unmanned or stand-alone Automatic Teller Machines (also known as: ATM’s) as allowable as a part of a Financial Institution, Drive-Through Use.

### ***I. BACKGROUND INFORMATION***

The Land Development Regulations currently prohibits unmanned or stand-alone Automatic Teller Machine Uses that are not in conjunction with an on-site Financial Institution Use and stand on their own. The applicant proposed a Text Amendment to the Land Development Regulations to allow for unmanned or stand alone Automatic Teller Machines that are not associated with an on-site Financial Institution Use. The proposal seeks to amend the definition of a drive-through, as follows:

The applicant is seeking this change to allow an unmanned or stand alone Automatic Teller Machine Use at the property located at 1267 NW 40 Ave/N ST RD 7, The Lauderhill Mall. They are seeking no additional amendments to the Land Development Regulations. If the amended definition was approved, the use would require a special exception use approval in the CO (Commercial Office), CC (Commercial, Community) and CG (Commercial, General) zoning districts.

### ***II. PROPOSED TEXT AMENDMENTS***

The amendment to the Land Development Regulations seeks to modify the following section(s). The excerpt, below, has been modified using ~~striktthrough~~ to illustrate removal of text and underlined to identify new language in this proposal:

LDR SCH A Land Use Classifications  
**SCHEDULE A. - LAND USE CLASSIFICATIONS**

...

**FINANCIAL INSTITUTION:** A commercial use engaged in the primary and principal business of and providing facilities for financial and banking services to consumers or clients. Financial institutions include a state or federally chartered banks, savings and loan associations, saving banks, credit unions, lending companies, investment companies or industrial loan company and automatic teller machines. It does not include a

check cashing/pay day loan store as defined herein or deferred presentment providers, money services businesses, and payday lending as defined in the Florida Statutes.

FINANCIAL INSTITUTION, DRIVE-THROUGH: A financial institution with one (1) or more drive-through lanes, including unmanned, or stand alone automatic teller machine or machines. ~~but not including one (1) or more drive-through lanes with an unmanned or stand alone automatic telling machine or machines.~~

**SCHEDULE B. - ALLOWABLE USES**

...

*B-2. Uses Allowed in Nonresidential Districts.*

Land Use Category	CO	CN	CG	CC	CW	CE	IL	PO	PL	PR	CR	S-1	CF	UT	Not Zoned
Accessory uses <sup>1</sup>	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
...															
Financial institutions <sup>1</sup>															
• Walk-up	P	P	P	P	SE	P									
• Drive-through	SE		SE	SE											
Firearm and ammunitions sales <sup>1</sup>			SE												
...															

**III. ANALYSIS**

The plans, submitted with the proposed text amendment, illustrate a fully automated unmanned use. The proposal seeks to construct the drive-through within a parking lot at the Lauderhill Mall. While staff generally does not object to the proposal to add the option for financial institutions to add a fully automated drive-through as a permitted use type staff does object to the proposed location, staff does not believe that the proposed should be permitted city-wide.

The city has a Transit Oriented Corridor (TOC), generally located along State Road 7/ US-441. The city encourages mixed use and pedestrian-oriented development and encourages the use of public transportation within this area. The Applicant recently received site plan approval from the City Commission for a mixed-use development with the under-utilized parking lot. The proposal would not be compatible with the recent development at the Lauderhill Mall, and would be inconsistent with the policies in the Comprehensive Plan:

Subpolicy 1.1.12.1 SR 7 /US 441 Transit Oriented Corridor:

b) Additional or expanded stand-alone automobile oriented uses such as: large surface parking lots, gas stations/auto repair/car washes; auto dealers; self/equipment storage; “big box”/warehouse; single-family detached dwelling units; carwashes; and drive-through facilities are discouraged and should be prohibited by the local government, or limited unless designed in a manner that is consistent with the design concepts of the City’s 2004-2005 Charrette Plan to encourage pedestrian and transit usage. The intent of this policy is to ensure future development is consistent with the pedestrian and transit oriented urban design concepts of the Charrette.

Therefore, if an amendment to the Schedule A were adopted by the City Commission, Staff would request the following additional changes to the Land Development Regulations to add standards for financial institutions:

LDR Article III, Zoning Districts, Section 5.19A

**Sec. 5.19.A. Financial Institution**

A. “Financial Institution, Drive-Through,” which propose unmanned or stand alone automatic teller machine or machines as a principal use (i.e. not structurally attached to a financial institution) shall be prohibited on parcels located within the Transit Oriented Corridor (TOC).

B. “Financial Institutions, Drive-Through,” which propose unmanned or stand alone automatic teller machine or machines as a principal use (i.e. not structurally attached to a financial institution) shall comply with the following requirements:

1. Substantial compliance with Schedule J. Landscape, Installation, Irrigation and Maintenance Standards and Requirements, Section 2.5 Parking area interior landscaping.
2. drive-through lanes shall be separated with a combination of curbs, landscape islands, and bollards to separate the use from other vehicular use areas.
3. landscaping must include a combination of ground cover (sod, grass, etc.) and low growing shrubs to maintain clear visibility to the ATM for users and CPTED standards.

**Amendment factors.** LDR Article IV., Part 2.0., Section 2.4., requires the Board and City Commission to consider and evaluate zoning text changes in relation to all pertinent factors but with reference to six (6) specific factors. The proposed Ordinance is evaluated below against the six (6) identified factors.

**a. *The character of the district and its peculiar suitability for particular uses.***

Staff does not object to the suitability of the use city-wide, to expand the definition of a financial institution to include stand alone automatic teller machines (ATM’s) with the exception of the city’s Transit Oriented Corridor (TOC). The proposed auto-oriented unmanned drive through ATM’s would not be aligned with the city’s TOC overlay district objectives.

**b. *Conversion of the value of buildings and encouraging the most appropriate use of land and water throughout the City.***

The proposal would allow for the expansion of auto-oriented drive-through where financial institutions are permitted. The additional option for financial institutions to locate in underutilized parking lots, versus constructing new buildings may divert water usage within the city and require less land to install the ATM’s and drive-ways when compared to a building footprint.

**c. *The applicable portions of the adopted City Comprehensive Plan and programs such as land use, trafficways, recreation, schools, neighborhoods, drainage and housing and so forth.***

As previously stated, the proposal would not be consistent with the policy in the Comprehensive Plan as it relates to the Transit Oriented Corridor (TOC). However, Staff does not object to the proposal outside of the TOC.

- d. *The need of the City for land areas for specific purposes to serve population and economic activities.***

This proposal could have a negative impact on the job possibility and investment in the City of Lauderhill. The proposal would expand the options for unmanned ATM separate from financial institutions, and while this may increase the convenience to remotely bank, this result in fewer manned positions in banking establishments.

- e. *Whether there have been substantial changes in the character of development in or near an area under consideration for rezoning.***

This factor applies to Zoning District Map amendments and not LDR text amendments. Since this is essentially an LDR text amendment, this factor does not apply.

- f. *The facts and opinions presented to the Planning and Zoning Board through hearings.***

This Development Review Report includes data, analysis and written findings of information submitted by the Applicant. Staff reserves the right to take into consideration any additional information that may be brought to our attention.

#### **IV. RECOMMENDATION/ACTION**

The Department recommends the Board enter into the record the Development Review Report (DRR) and all other substantial competent evidence presented at the hearing, adopt the findings and conclusions contained herein, and forward the record to the City Commission with a recommendation that the proposed Ordinance amending the LDR be adopted with the additional standards “Sec. 5.19.A. Financial Institution.”

Therefore, the Planning & Zoning Department recommends approval of the proposed text amendment, **with the modifications by Staff.**

#### **V. ATTACHMENTS**

1. None