



The Florida Density Bonus

**How Developers Build More Units, Save Water,
and Lift Project ROI Under Statute 403.892**

A practical guide for multifamily and single-family developers building in Florida.

PREPARED BY ECOVIE WATER MANAGEMENT
Exclusive U.S. distributor of INTEWA AQUALOOP—
the only greywater recycling system certified by
NSF International to the NSF 350 Class C standard.

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EXECUTIVE SUMMARY

Florida is growing faster than almost anywhere in the country, and every new unit adds pressure on a water system already strained by saltwater intrusion, aging treatment plants, and contamination of the state's waterways and aquifers. In 2022 the Florida Legislature responded with a statute that turns that pressure into an opportunity for developers.

Florida Statute 403.892 grants a density or intensity bonus to developers and homebuilders who install onsite greywater recycling systems. Build a system that serves 75% of your units and you qualify for a 25% density bonus. Serve 100% of units and the bonus rises to 35%. That bonus stacks on top of any local density incentive already on the books as of July 1, 2021.

For a developer, density is the lever that moves a pro forma. More rentable or sellable units on the same parcel means more revenue against largely fixed land and entitlement costs. A greywater system stops being an environmental nicety and becomes a financial instrument.

This paper explains how the statute works, who qualifies, what the system actually does, and why the certification requirement matters more than most developers realize. It is written for the people who decide whether a project pencils: developers, homebuilders, and the architects and engineers who advise them.

WHY FLORIDA CREATED THIS INCENTIVE

Floridians draw water from rivers, streams, wetlands, lakes, springs, aquifers, and estuaries. Rainfall is plentiful, but contamination pressures have been escalating with population growth: flooding, building discharge, fats and oils overloading treatment plants, mined limestone quarries, saltwater intrusion, leaking septic tanks, and legacy contamination sites. Taken together, these stresses push the state toward a crisis point where short-term fixes barely register.

Potable water conservation is now driving new laws, ordinances, and consent decrees across Florida. Statute 403.892 sits at the center of that response. Rather than restricting development, the state chose to reward smarter development – letting builders add density precisely when they reduce the water burden their projects create.

The mechanism is elegant: every gallon of shower and sink water recycled for toilet flushing is a gallon not drawn from the municipal supply and not sent to a treatment plant. The state gets conservation and reduced discharge. The developer gets more units. The resident gets a more resilient building.

HOW THE DENSITY BONUS WORKS

The statute requires every county, municipality, and special district in Florida to provide the bonus to qualifying projects. The size of the bonus depends on how much of your development is served by a greywater system:

Share of Units Served by Greywater System	Density / Intensity Bonus	Stacks on Local Bonus?
AT LEAST 75%	25%	Yes – in addition to any local ordinance in effect July 1, 2021
100%	35%	Yes – in addition to any local ordinance in effect July 1, 2021

The bonus is a density or intensity bonus – meaning more dwelling units or greater buildable intensity on the same site than base zoning would otherwise allow.

Because the statutory bonus is additive, a project already receiving a local affordable-housing or transit-oriented density bonus can layer the greywater bonus on top. The two are not mutually exclusive.

DO YOU QUALIFY? THE ELIGIBILITY CHECKLIST

To claim the incentive, a developer or homebuilder certifies to the local government – as part of the application for development approval or amendment of a development order – that the project meets each of the following conditions:

- 1. Minimum project size.** The development has at least 25 detached single-family residential homes, or at least 25 multifamily dwelling units, which may include apartments.
- 2. System configuration.** Each single-family residence has its own greywater system dedicated to its use. A multifamily project may be served by one master greywater collection and reuse system for the entire project, or by a dedicated system per unit.
- 3. Height limit.** The statute does not apply to multifamily projects more than five stories in height.
- 4. Warranty and performance assurance.** The developer submits a manufacturer's warranty or data giving reasonable assurance that the system will function as designed, including an estimate of anticipated potable water savings per system.
- 5. Certification and maintenance.** Greywater systems must be certified to meet Florida's requirements for onsite greywater treatment, and must be backed by a two-year warranty. Ongoing maintenance is the owner's responsibility, supported by an operation and maintenance manual that remains with the residence.

Note on eligibility: The bonus applies to residential dwelling units – single-family or multifamily up to five stories. Whether a unit is owner-occupied is not a factor. The incentive is not a general commercial-building bonus; it rewards residential water reuse specifically.

THE CERTIFICATION THAT MAKES OR BREAKS YOUR CLAIM

The eligibility checklist hides a make-or-break detail. The Florida Building Code requires NSF 350 certification for greywater systems used for toilet flushing—which is exactly the end use that has qualified projects for the full 35% bonus to date. Specify a system without the right certification and the bonus claim can fall apart.

NSF/ANSI 350 is the recognized standard for onsite water reuse. It comes in two classes: Class R for single-family residential, and Class C for commercial-scale systems serving multifamily and larger developments.

The AQUALOOP system supplied by ECOVIE is the only greywater recycling system tested and certified by NSF International to the NSF 350 Class C standard for commercial and multifamily applications.

That single fact is why developers building multifamily projects in Florida work with ECOVIE. A per-unit residential system is one thing; a code-compliant, certified system that can serve an entire multifamily building and stand up to a plan reviewer's scrutiny is another. AQUALOOP's membrane bioreactor and ultrafiltration process has been third-party tested to remove 99.9999% (6-log) of bacteria and 99.999% (5-log) of viruses—the kind of log-reduction performance that jurisdictions using a risk-based approval approach increasingly demand.

PROOF IT WORKS: BAYOU COURT APARTMENTS

In St. Petersburg, developer Gravel Road Partners is building Bayou Court Apartments, a 60-unit affordable housing project that became one of the first in Florida to qualify for the 35% density bonus under Statute 403.892.

The 60 units are arranged across three buildings on a 2.3-acre site. Each building has its own AQUALOOP GW900L greywater treatment system, certified to NSF 350C as required for indoor water reuse under the Florida Building Code. Shower and bathroom-sink water is treated onsite and reused to flush toilets throughout the living units, cutting potable demand and wastewater discharge at the same time.

“At Gravel Road, we are constantly seeking ways to improve the sustainability and environmental impact of our developments. The state program we utilized aligns perfectly with that goal, and we are proud to be among the first developers in Florida to implement a greywater system. When our team sought a solution, it was evident that the AQUALOOP product was the best fit for Bayou Court.”

– Tyler Herbert, Founding Partner, Gravel Road Partners

The project was delivered through a public-private partnership with the City of St. Petersburg and Pinellas County, with the greywater system designed in collaboration between ECOVIE, Place Architecture, Osborn Engineering, and Engineering Professionals, Inc.

THE DEVELOPER’S CASE: WHY THE MATH WORKS

Density is the single most powerful lever in a development pro forma. Land, entitlement, and soft costs are largely fixed regardless of unit count, so additional units fall closer to the margin. A 25% or 35% increase in allowable density on a constrained Florida parcel can change a project from marginal to clearly viable.

Beyond the bonus itself, an onsite greywater system delivers durable operating advantages that strengthen the asset over its full life:

- **Lower water bills**—cutting potable municipal demand and reducing exposure to future water-rate increases.
- **Reduced discharge** to wastewater treatment or septic systems, easing utility burden and connection constraints.
- **Stronger ESG and green-building credentials** through certification in programs such as LEED and the Living Building Challenge, improving marketability to tenants and buyers who value sustainability.
- **On-site water security** when the main supply is disrupted by a storm or other event—a meaningful resilience feature in Florida.
- **Higher property value** from the combination of added density, lower operating costs, and sustainability positioning.

Put simply: the density bonus improves the development math up front, and the system keeps paying back across the life of the building.

HOW ECOVIE DELIVERS

ECOVIE designs and delivers integrated onsite water reuse systems for commercial and select residential properties, with deep specialization in greywater recycling. As the exclusive U.S. distributor of INTEWA’s AQUALOOP technology—a manufacturer with more than 30 years of experience and over 3,000 systems installed across 20 countries—ECOVIE brings both certified hardware and the engineering know-how to get it approved and running.

ECOVIE works alongside your architects and engineers from concept through startup:

- Concept creation and preliminary price calculation.
- Support with implementation planning.
- Process flow diagrams, system layout, and integration with the rest of the building.
- System specifications and submittals – including the certification documentation your density-bonus application requires.
- Support during installation and system startup.

The packaged AQUALOOP greywater systems come in eleven pre-assembled models, from single-family-scale units to large commercial capacities, so the system can be matched to a project rather than forcing the project to fit the system.

NEXT STEPS

If you are planning a residential project in Florida of 25 units or more, the density bonus under Statute 403.892 is worth modeling before your site plan is locked. The earlier greywater is designed in, the cleaner the path to certification and approval.

Talk to us about your project.

Set up an informational meeting to size the bonus for your specific site and unit count. We will walk your team through eligibility, system options, certification, and the documentation your jurisdiction will expect.



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SOURCES & IMPORTANT NOTE

Statutory provisions in this paper are drawn from the text of Florida Statute 403.892 as published by the Florida Senate (flsenate.gov). Project, product, certification, and qualification details are drawn from ECOVIE Water Management (ECOVIEwater.com), the primary source for this campaign.

This document is informational and is not legal advice. Density-bonus implementation, application procedures, and local stacking provisions vary by county, municipality, and special district. Confirm current requirements with the applicable jurisdiction and qualified counsel before relying on the incentive in a pro forma.